



**TOWN OF LAKE PARK  
SPECIAL CALL  
PLANNING & ZONING BOARD  
MEETING AGENDA  
SEPTEMBER 12, 2016  
7:00 p.m.  
535 PARK AVENUE  
LAKE PARK, FLORIDA**

**PLEASE TAKE NOTICE AND BE ADVISED:** If any interested person desires to appeal any decision of the Planning & Zoning Board with respect to any matter considered at the Meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the Meeting should contact the Town Clerk's Office by calling (561) 881-3311 at least 48 hours in advance to request accommodations.*

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Judith Thomas, Chair	<input type="checkbox"/>
Martin Schneider, Vice-Chair	<input type="checkbox"/>
Anthony Bontrager, Regular Member	<input type="checkbox"/>
Lanae Barnes, Regular Member	<input type="checkbox"/>
Vacant, Regular Member	<input type="checkbox"/>
Vacant, Regular Member	<input type="checkbox"/>
Vacant, Alternate Member	<input type="checkbox"/>
Vacant, Alternate Member	<input type="checkbox"/>

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

- Special Call Planning & Zoning Board Meeting Minutes; August 22, 2016

**PUBLIC COMMENTS**

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located in the rear of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

## ORDER OF BUSINESS

The normal order of business for Hearings on agenda items is as follows:

- Staff presentation
- Applicant presentation (when applicable)
- Board Member questions of Staff and Applicant
- Public Comments – 3 minute limit per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

## NEW BUSINESS

- A. Variance Request by Atlas Sign Industries and Dunway Miskel Backman LLP, as Agent for the Property Owner, Alert Realty LC, of 900 Northlake Boulevard, for Sign Variances to Appendix A, Article I, Division I: Section 5-6(c)(2)(e) Maximum Areas, and Section 5-6(c)(2)(f) Maximum Height.
- B. Variance Request by Atlas Sign Industries and Dunway Miskel Backman LLP, as Agent for the Property Owner, Alert Realty LC, of 924 Northlake Boulevard, for Sign Variances to Appendix A, Article I, Division I: Section 5-6(c)(2)(e) Maximum Areas, and Section 5-6(c)(2)(f) Maximum Height.
- C. Variance Request by Martin L. Haines, III, Property Owner of 501 North Federal Highway, for a Variance to Section 70-103(5)(3)(a) to Reduce the Minimum Western Setback of a Monument Sign from 5' to 1.5'. *(THIS ITEM IS TO BE CONTINUED TO THE OCTOBER 3, 2016, PLANNING & ZONING BOARD MEETING)*

## COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

## ADJOURNMENT

**THE NEXT PLANNING & ZONING BOARD MEETING WILL BE HELD ON MONDAY, OCTOBER 3, 2016 AT 7:00 P.M.**



**TOWN OF LAKE PARK  
SPECIAL CALL  
PLANNING & ZONING BOARD  
MEETING MINUTES  
AUGUST 22, 2016**

**CALL TO ORDER**

The Special Call Planning & Zoning Board Meeting was called to order by Chair Thomas at 7:10 p.m., immediately upon the adjournment of the Local Planning Agency Meeting.

**ROLL CALL**

Judith Thomas, Chair	Present
Martin Schneider, Vice-Chair	Present
Anthony Bontrager	Present
Lanae Barnes	Present

Also in attendance were Town Attorney Thomas J. Baird; Nadia DiTommaso, Community Development Director, Town Planner Scott Schultz and Recording Secretary Kimberly Rowley.

**APPROVAL OF AGENDA**

Chair Thomas requested a motion for the approval of the Agenda as submitted. Vice-Chair Schneider made a motion for approval, and it was seconded by Board Member Barnes. The vote was as follows:

	<b>Aye</b>	<b>Nay</b>
Judith Thomas	X	
Martin Schneider	X	
Lanae Barnes	X	
Anthony Bontrager	X	

**The Motion carried 4-0, and the Agenda was approved as submitted.**

**APPROVAL OF MINUTES**

Chair Thomas requested a motion to approve minutes of the July 11, 2016, Special Call Planning & Zoning Board Meeting. Vice-Chair Schneider made a motion for approval and the motion was seconded by Board Member Barnes. The vote was as follows:

	<b>Aye</b>	<b>Nay</b>
Judith Thomas	X	

Martin Schneider	X	
Lanae Barnes	X	
Anthony Bontrager	X	

**The Motion carried 4-0 and the July 11, 2016, Special Call Planning & Zoning Board Meeting Minutes were approved.**

Chair Thomas requested a motion to approve minutes of the August 1, 2016, Planning & Zoning Board Meeting. Vice-Chair Schneider made a motion for approval and the motion was seconded by Board Member Barnes. The vote was as follows:

	<b>Aye</b>	<b>Nay</b>
Judith Thomas	X	
Martin Schneider	X	
Lanae Barnes	X	
Anthony Bontrager	X	

**The Motion carried 4-0 and the August 1, 2016, Planning & Zoning Board Meeting Minutes were approved.**

## **PUBLIC COMMENTS**

Chair Thomas explained the Public Comment procedure.

## **ORDER OF BUSINESS**

Chair Thomas outlined the Order of Business.

## **NEW BUSINESS**

### **A. PROPOSED LAND DEVELOPMENT REGULATIONS FOR THE CREATION OF A MIXED-USE ZONING OVERLAY DISTRICT (FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN).**

Ms. DiTommaso stated that in an attempt to review the revisions which were incorporated into the zoning packet similar to what the LPA did with the Comprehensive Plan, she will be addressing one-by-one each of the many comments that came out of the previous Meeting, with the exception of the comments which were discussed during the LPA Meeting. Chair Thomas stated that it would be appropriate to review each of the comments for the benefit of the public. Ms. DiTommaso reviewed the following comments and responses, as follows:

1. *Changing definition of waterfront block should not be done. Boat parking – leave alone.* → **RESPONSE:** The Waterfront Block will remain as the block bordered by Silver Beach to the south; Cypress Drive to the north; US-1 to the west and Lake

Shore Drive to the east. The publicly-owned lot will be subject to its own approval process however, the private property parcels could still take advantage of the MUZ provisions as a standalone development adjacent to the Marina area.

2. *Extend waterfront block to the west.* → **RESPONSE:** In order to provide an adequate transitional zone and protect the interests of the residential structures west of US-1, the Urban Waterfront Block (sub-district) needs to remain as the block bordered by Silver Beach to the south; Cypress Drive to the north; US-1 to the west and Lake Shore Drive to the east.
  3. *Not allowed to have alcohol within 500' of Kelsey Park.* → **RESPONSE:** Currently, the Town Code prevents certain (new) permitted uses such as restaurants to receive zoning approval for liquor/alcohol sales if they are within 500 feet of a church, daycare center, elementary/middle/secondary school, or park, except for Park Avenue. Florida State Statute only requires this 500-foot separation from public or private elementary/middle/secondary school. Town Staff will propose an amendment to Town Code Section 6-6 to mirror the State Statute. This will move forward as a Town Commission Ordinance on first reading on October 19, 2016, followed by second reading on November 2, 2016, freeing up the ability to have accessory alcohol sales for certain uses.
  4. *Mix of uses/antiquated Code:* → **RESPONSE:** The underlying zoning district uses will continue to adequately apply until which time the entire Code is overhauled. On a daily basis, staff has the ability to loosely interpret and link "like" uses therefore, the development of common, everyday uses will not be impacted in any way.
  5. *Chamber of Commerce encourages continued dialogue and development.*  
→ **RESPONSE:** Acknowledged. This will be ongoing. A future reception to promote the Mixed-Use development option will be coordinated in an effort to bring together owners, residents and the development community.
  6. *Encourage forward thinking plan.* → **RESPONSE:** Acknowledged. It is great to hear that this plan is being considered as forward thinking. The Town of Lake Park is in need of forward-thinking investment opportunities, particularly along the U.S. 1 Corridor.
  7. *Need office uses.* → **RESPONSE:** Class A offices uses are certainly needed in the North County Area. This point is emphasized time and time again by the Business Development Board (BDB) as well. This development option will provide the option to incorporate additional Class A office space in a unified mixed-use development plan.
  8. *More workshops, include residents to the west. West residents (Phase 2) are left in limbo.* → **RESPONSE:** The entire Town has been encouraged to attend our
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workshops over the last two years. Moving forward however, residents west of US-1, particularly west of 2<sup>nd</sup> Street will be involved in a series of additional workshops in 2017, by personal invitation, to discuss Phase 2 of the project which will include all properties on the west side of the corridor, extending to 2<sup>nd</sup> street (known as the Urban Neighborhood Edge sub-district). Staff will not be accepting development applications for the west side of the corridor until these workshops are completed and adequate zoning provisions are put in place. An additional Comprehensive Plan Policy (9.6.1) is being recommended to reinforce this intent. The timeframe for these workshops will include: *1<sup>st</sup> workshop end of February 2017; 2<sup>nd</sup> workshop end of April 2017; first public hearing of required changes end of June 2017.* In the meantime however, Phase 1 (east side) has been workshopped for two years and is ready to move forward. The Comprehensive Plan Amendments relevant to Phase 1 must move forward in order for investment along the east side of the corridor to occur. The anticipated adoption date for Phase 1 is November/December 2016, if we stay on track and receive a favorable recommendation from the LPA on the Comp Plan Amendments.

9. *Some development standards may hurt small lots.* → **RESPONSE:** Small lots will always face more limitations. This is true to the zoning we have in place today. The intent is to promote the combination of lot and the reality is, if this does not occur, smaller-scale mixed-use developments may be developed. A waiver procedure has also been incorporated into the zoning provisions to incentivize the development of smaller lots and it is also linked to a green building program which has been created in the proposal thanks to some very valuable comments and recommendations raised by our Vice-Chair Schneider, a program which can be used to satisfy public benefit requirements.
10. *Wedding cake – maintain individual character, not everything should look the same.* → **RESPONSE:** Acknowledged and staff agrees the provisions leave it open to creativity and the incorporation of various architectural styles.
11. *Will people be grandfathered?* → **RESPONSE:** Yes! This mixed-use development option is an **OPTION**. The underlying zoning district regulations, commercial uses on commercially-zoned lots, and residential uses on residentially-zoned lots would still be legal and can redevelop as such.
12. *Lots of people in an acre.* → **RESPONSE:** Mixed-use on a larger scale would certainly incorporate many additional people, however, this would be accompanied by additional office and/or commercial services, based on market demands when the development is built. Additionally, even at maximum buildout (which is highly unlikely), level of service standards will be met according to the Capacity Analysis, as reviewed by the LPA.

13. *Is there a multi-income units ability.* → **RESPONSE:** A developer will have the option to incorporate units based on market needs.
14. *Vision Statement – take a look at the big picture.* → **RESPONSE:** The Town has a “mission” statement, as opposed to a “vision” statement. The mission statement for the Town was enacted quite some time ago and it reads: “*To improve the quality of life for all Town stakeholders through the provision of effective and efficient service delivery while maintaining a small Town atmosphere in an urban environment and embracing the sense of place and community that makes the Town of Lake Park special*”. This mission statement is in line with the “vision” of a Mixed-Use corridor along Federal Highway, which was established through the adoption of a Commercial/Residential land use designation along the corridor in 2009. The intent was to diversify the tax base by providing the ability to redevelop as mixed-use, which would in turn allow the Town to provide its residents, business owners and property owners with more services and improve their quality of life. Federal Highway was also selected given its proximity to the water and existing high-rise residential to the east. This location would not take away the small-town character in the Town’s core, but would rather complement it by bringing in more services and improving the Town’s overall tax base and values.
15. *What is justification or guarantee that the Town will be able to attract residents and businesses.* → **RESPONSE:** Developers are already interested in submitting proposals. Luxury condos are currently being built a few miles north in North Palm Beach therefore, the demand is evident. Millennials gravitate toward rental units and other age groups gravitate toward condo ownership. Building for more people will require additional services which is how the commercial component of the mixed-use development will thrive. Given the proximity to the water, this is also very attractive for both residential and commercial development. Two renowned north County partners, the Business Development Board and Palm Beach North (Chamber of Commerce) have applauded the Town for this forward-thinking, economic development initiative which they believe is needed and will significantly promote Lake Park and the entire region. Again, this is a development option and therefore, if the developer’s market analysis does not justify their proposal, this option will not be utilized since their return on investment interest relies upon viable uses being integrated along the corridor.
16. *ILA/Waterfront usage, county stated have to keep same number of boat spaces and car spaces.* → **RESPONSE:** The Town has had several conversations with the County on the ILA and the lot on the northeast corner of Silver Beach and US-1. Town Commission approval will be required in the future if this lot is ever improved (since it is currently public land), however the required 27 boat trailer spaces and 18 vehicular spaces are required to remain at all times given the Interlocal Agreement provisions.
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17. *Don't cut out into A, B, C. (Sub-Districts)* → **RESPONSE:** A, B, and C refers to the various sub-districts which are required due to their unique locations along the corridor and their abilities to introduce different types of development given their adjacent uses. This division has been presented from our very first public workshop and understood and accepted throughout the process given the nature of the corridor.
18. *You are approving a Boynton Beach like plan.* → **RESPONSE:** Mixed-use development plans are a common trend nation-wide. While markets fluctuate and the 2009 recession particularly affected many mixed-use developments that were built around that timeframe (namely Boynton Beach and our very own One Park Place on Park Avenue, for which no one had any control over), this proposed plan is specific to the US-1 corridor and includes three (3) sub-districts given our existing land use configurations.
19. *Break up blocks and towers – 250' or 300'.* → **RESPONSE:** The architectural guidelines in Section (J) of the zoning packet have been expanded upon (i.e. they provide additional break and bulk type language to further explain that the massing of facades needs to be softened and articulated).
20. *Define active uses – what can they be?* → **RESPONSE:** Since active uses can be incorporated in many ways, the permitted uses section (h) in the zoning packet provides for some additional language promoting active uses on the ground floors of buildings facing Federal Highway, with the ability to wrap around the corners of these buildings.
21. *Creation of a Parks Fund, Complete Streets, Development Fund, or Impact Fees.*  
→ **RESPONSE:** This is the only part that is still in-progress/in-review and will be forthcoming. Also considering language for special planning conditions/dedications for sea-level rise adaptation. Payment in lieu of installing utilities underground is also being researched. Certainly, there is opportunity to simply reference FGBC and LEED and eliminate some of the preferred language in this revised section, if this is the desire of the Board. With this being said, this should not hold up the Comprehensive Plan piece, or prevent it from moving forward since we still have time to further tweak the zoning provisions as may be needed.
22. *Meet FGBC or LEED.* → **RESPONSE:** Please refer to newly added Section (K) in the proposed zoning packet for the creation of a Green Building Program which Vice-Chair Schneider assisted in creating, along with some preferred sustainable and green components which are in line with LEED principles.
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23. *Stormwater retention/reuse.* → **RESPONSE:** Low-impact development (LID) standards are being proposed as a preferred method of development. Stormwater was rightfully raised by Chair Thomas at the last meeting and this enabled staff, with the review assistance of our consulting Engineer, to move forward with the incorporation of LID techniques. LID is an innovative approach to stormwater management that allows for stormwater and environmental controls to be incorporated into the landscape, built environment, and infrastructure so that pollution is controlled at the source in small scale distributed facilities, such as green roofs, rain gardens, or permeable pavers. An advantage of this system is that pollution is not transported through the infrastructure or drainage system and the facilities can be constructed incrementally. LID allows for multiple objectives to be achieved including: reduction of the urban heat island effect, energy and water conservation, and reduced costs for agencies tasked with maintaining water quality programs, optimize fiscal resources by combining projects, lower utility user fees, and an improvement in the overall aesthetics of a site.
24. *Reduction of parking rates – check others’ standards. Shortage of parking.* → **RESPONSE:** This item was of particular interest to Member Barnes and Member Schneider. The MUZ provides slight variations in parking space requirements for certain uses. For office and retail uses, the most flexibility has been embedded (proposed) in the provisions by right. Several municipalities have been researched and for the most part, the MUZ proposal is in line with standard municipal parking provisions. Shared parking between uses will remain an option which must be justified through a shared parking study. Waivers may also be possible under certain circumstances if required parking can still be justified and a public benefit is evidenced. Success in development is often linked to available parking, therefore, parking will need to be reviewed and properly assessed on a case-by-case per the development proposal basis.
25. *Public Benefits – who determines? Estimate public benefit. Waiver provisions.* → **RESPONSE:** The provisions identify the need for public benefits, particularly as it relates to the request for waivers and the inclusion of certain green building principles. These will be reviewed by staff/consultants, P&Z Board and Town Commission as development proposals are submitted for site plan review.
26. *Look at office above the ground floor, not just residential.* → **RESPONSE:** Office uses would be permitted in the upper floors as long as the use fronts Federal Highway or the side streets (half a block deep).
27. *TDRs cumulative.* → **RESPONSE:** They are capped in the provisions for the sender sites (5 stories per sender site). The receiver sites are also limited to the east side of the corridor and these sites also have caps so as to prevent the cumulative
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transfer to one receiver site alone - life maximums of 4 stories per Urban Edge site and 6 stories per Urban Waterfront Block site have been incorporated.

28. *Is hotel considered residential?* → **RESPONSE:** No, unless the accommodations are offered long-term (3 months or more) in a condo-hotel type setting.
29. *Some retail sits empty.* → **RESPONSE:** A developer will rely on a current market study to substantiate their development and respective uses. See additional reply #33 above.
30. *Don't say how it has to be architecturally.* → **RESPONSE:** The provisions provide for limited architectural guidelines as to development form, as does our general architectural guidelines code. The intent is to provide for attractive, compatible and user-friendly development however, the provisions do not dictate architectural style and this is left open to creativity.
31. *Stormwater – major flooding along Lake Shore Drive.* → **RESPONSE:** An important issue raised by Chair Thomas. Any new development will provide a significant improvement to Lake Shore Drive by virtue of the modernized/up-to-date requirements. Most properties along Lake Shore Drive were built several decades ago and contribute to the drainage/runoff issue on Lake Shore Drive. New development would be required to meet water quality and quantity treatment standards, thereby relieving some of the strain. Additionally, all new designs, pursuant to Section (J) in the zoning standards, will be reviewed with the Lake Shore Drive improvement plans in mind.
32. *Comprehensive approach / Tie it all in.* → **RESPONSE:** This is being deemed as a comprehensive approach that includes two phases. From an economic development standpoint, it is important to move Phase 1 along first, and from an additional community-involvement standpoint, Phase 2 is required. While Phase 2 will bring forward additional recommendations, this will not affect or impede upon the development option for Phase 1 (east side of the corridor).
33. *TDRs can be exhausted.* → **RESPONSE:** Yes. TDR's do have a cap and once a property exhausts its allowable transfer, no additional transfers will be available for the sender site.
34. *Prevent abandonment of streets.* → **RESPONSE:** The abandonment of streets is a very stringent process that requires a significant amount of associated public benefit. Understanding that it would not be in the Town's best interest to create 'super blocks' by abandoning streets and essentially interrupting our favorable grid network street pattern, additional phrasing has been added to section (a) 'Purpose and Background' in the zoning packet to highly discourage the abandonment of streets.
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35. *Underground utilities – can you put into the streets and not in easements.* →

**RESPONSE:** This was of particular interest to the entire Board. Section (J) of the zoning packet incorporates language whereby utilities shall be installed underground. The Planner has reached out to the various utility companies and while some responses are still forthcoming, Seacoast has responded to the utilities in the streets question by indicating: “The Authority has a strong preference towards installing infrastructure in easements. Easements afford the utility safe access, and more control over factors that may hinder operations or damage the infrastructure. We have several pipelines that are constructed in the rights-of-way of Federal, State and Local roadways. When pipelines must be installed in a right of way, the Authority prefers to have pipe installed near the right of way lines. This safely keeps operations out of the roadway during maintenance. It also allows future connections to be made without shutdowns of the road. Other than safety and access concerns, medians are often landscaped areas, and it is well documented the damage created to utilities by maturing landscape.” ATT further responded in stating: “We usually don’t have any facilities located in the median”.

## **BOARD MEMBER DISCUSSION**

Board Member Bontrager asked Staff if FPL had reached back to the Town. Mr. Schultz stated that Staff has not received an official response from FPL.

Board Member Barnes stated she is not in favor of mixing commercial and residential, and that commercial should be located on the first or second floors only.

## **PUBLIC COMMENTS**

Dodi Glas - Ms. Glas asked for clarification regarding the timeline for the approval of the Comprehensive Plan and if it might interfere with Town Commission approval.

## **BOARD DISCUSSION**

Board Member Bontrager stated he would like Staff to follow-up with FPL.

Vice-Chair Schneider stated there is still a lot to digest. He expressed that there should either be shared parking or reduced rates, but he believes that shared parking works better than just reducing the rates, since low rates are usually for urban settings.

Vice-Chair Schneider asked Staff if they came up with an active use definition. Ms. DiTommaso responded there is not an official definition for active uses.

Vice-Chair Schneider questioned how the waivers and criteria and the public benefits function would work, since the only public benefit he sees would be the green building. Ms. DiTommaso responded that developers may be able to incorporate different types of

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public benefits that would be dependent on the features they incorporate into their development. Vice-Chair Schneider stated the issue becomes trying to keep it from being completely subjective and there should be certainty as to what issues can be waived. Ms. DiTommaso stated that waiver limitations will be set.

Vice-Chair stated that his comment for having a break-in-block was addressed by having the building set back, but he would like to see a visual through the building and would like to see two towers rather than one solid wall, even if it moves in or out.

Vice-Chair Schneider asked if the mix of uses is allowed district-wide, than couldn't the office use be allowed all the way to the east side. Ms. DiTommaso stated that the comments received were to limit office use to the Urban Waterfront Block which would provide the most flexibility.

Board Member Barnes expressed that she doesn't think it works mixing residential and commercial in high rise buildings because they are hard to sell since homeowners don't want to mix their home life with business and there needs to be a separation. She expressed concern that the Town doesn't want more vacant buildings such as the 801 Park Avenue building.

Board Member Bontrager stated he agrees with Board Member Barnes regarding the mixing of commercial and residential, and if it doesn't work in West Palm Beach then it may not be successful in Lake Park.

Ms. DiTommaso explained if the Comp Plan moves forward and if a significant amount of comments remain for the zoning, that there can be another meeting on the zoning and bring it back to the Planning & Zoning Board. If the P&Z Board votes in favor this evening, then it would not come back to the P&Z Board again, but would move forward to the Town Commission. Ms. DiTommaso stated Staff understands the comments from the Board Members and will work on incorporating them.

Chair Thomas expressed a concern regarding the prevention of the abandonment of streets and asked for clarification on the "significant amount" of public benefit statement.

Chair Thomas expressed a concern regarding the response regarding stormwater retention and the major flooding along Lake Shore Drive which she feels is not being addressed. She feels this problem needs to be addressed immediately.

Chair Thomas stated it is important that consideration be given for providing incentives to developers for underground utilities, which are a benefit to the public.

Vice-Chair Schneider stated some suggestions for public benefits to be considered: 1) Stormwater/drainage issue: – Create/develop a master stormwater plan that developers could pay into; 2) Complete Streets Initiative and 3) Create a parks and open spaces fund to allow developers to buy land or donate land to the Town for parks.

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Ms. DiTommaso stated that Staff will be following Palm Beach County and the Metropolitan Planning Organization (MPO) on the Complete Streets Initiative for the development of a Town-wide policy.

## **BOARD RECOMMENDATION**

Vice-Chair Schneider made a motion to continue the item to the next regular Planning & Zoning Board Meeting. The motion was seconded by Board Member Bontrager and the vote was as follows:

	<b>Aye</b>	<b>Nay</b>
Judith Thomas	X	
Martin Schneider	X	
Lanae Barnes	X	
Anthony Bontrager	X	

The vote was 4-0 in favor of continuing the item until the next regular Planning & Zoning Board Meeting of October 3, 2016.

**B. A SITE PLAN APPLICATION FOR THE SPECIAL EXCEPTION USE OF A 201,600 TOTAL SQ. FT. SELF-STORAGE FACILITY TO BE BUILT IN TWO (2) PHASES (100,800 SQUARE FEET EACH PHASE), TO BE LOCATED WITHIN THE CONGRESS BUSINESS PARK PLANNED UNIT DEVELOPMENT (P.U.D.) ZONING DISTRICT. APPLICANT: SPACEBOX LAKE PARK, LLC.**

## **STAFF PRESENTATION**

Scott Shultz, Town Planner, addressed the P&Z Board and read a summary into the record, as follows:

- Spacebox Lake Park, LLC is the Applicant
  - The Applicant is proposing to develop a self-storage facility in two (2) phases which will provide 201,600 square feet (100,800 square feet in each phase) of self-storage
  - The site is located in Tract G1 of the Congress Business Park PUD
  - The Site is currently owned by Congress Avenue Properties, which the Applicant will purchase pending the zoning approvals
  - The Site has a "Commercial/Light Industrial" future land use designation; and,
  - The Site is within the Congress Business Park PUD Zoning District with an underlying C-2 zoning designation, which allows "storage warehouses" as a special exception use
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Mr. Schultz stated that the Application for a self-storage warehouse is a special exception use within the C-2 zoning district AND is required to meet the following six (6) criteria:

**CRITERIA 1:** Staff finds Criteria 1 is met because the proposed use will further *Objective 1* of the comp plan since a new development on what is now an undeveloped parcel will increase the Town's tax base, which the applicant will further describe those impacts in a moment; and it is consistent with *Objective 5* regarding infill development, and the Applicant will also share their market analysis of the proposed site.

**CRITERIA 2:** Staff finds that Criteria 2 is met since the Site Plan for Spacebox meets the Land Development Regulations and all other portions of the Town Code.

**CRITERIA 3:** Staff finds that Criteria 3 is met since the proposed Special Exception Use is compatible with the character and use of the surrounding properties in terms of adjacent and nearby scale and intensities; the type of retail and commercial businesses in the area; and the mass and height of the surrounding area. The proposed facility has also included design features of Aldi and RaceTrac to reinforce the PUD architectural design standards.

In regard to its function, hours of operation, and traffic to be generated, Staff finds the self-storage facility is consistent with the area. Some highlights include:

- The facility will be open to customers at all hours via secured entrances
- Nuisances are not anticipated because the actual storage units will be internalized inside the two buildings.
- Phase I implementation proposes an outdoor storage lot for boats, cars, RV's and the like:
  - The outdoor storage area is receiving heavy landscaping with opaque fencing which will mask the outdoor storage area
  - Staff recommends a Condition that the Phase I outdoor storage area be utilized only for the parking of vehicles and no vehicle may be repaired, have parts installed, or other work done such as testing/running of engines so as to further protect the area from noise-based nuisances.

**CRITERIA 4:** Staff finds Criteria 4 is met and the proposed Special Exception Use will not create a concentration or proliferation of the same or similar type of use or be detrimental to the development or redevelopment of the area since there are no self-storage facilities located in the Town of Lake Park and the nearest such facilities include:

1. A Public Storage located at 3601 Blue Heron Blvd that is approximately 1.4 miles from the site;
2. A Public Storage at 401 Northlake Blvd that is approximately 2.5 miles from the site; and

3. A storage facility currently under construction at 545 Northlake Boulevard, approximately 2.4 miles from the site

**CRITERIA 5:** Staff finds that Criteria 5 is met and the proposed Special Exception Use will not have a detrimental impact on surrounding properties based on the following items:

- The number of persons using or working at the property because patronage is estimated to occur outside of peak AM/PM traffic hours and on the weekends; and the Site Plan meets all requirements of the Town's Land Development Regulations which mitigate adverse impacts on surrounding properties.
- It will not have a detrimental impact on surrounding properties based on the degree of noise, odor, or visual nuisances generated by use because the nature of this use will not generate noise beyond what is anticipated at the loading docks since the storage units are internalized. In comparison, this loading dock activity is less intense than that of Aldi and RaceTrac to the west of the site.
- The effect on the amount and flow of traffic within the vicinity will not have a detrimental impact, which Palm Beach County Traffic Division confirmed via their Concurrency Letter.

**CRITERIA 6:** Staff finds Criteria 6 is met based on the following five (5) items:

- The proposed development will not reduce light and air to adjacent properties;
- It will not adversely affect property values in adjacent areas;
- It is not a deterrent to the improvement, development or redevelopment of surrounding properties;
- It will not negatively impact natural systems or public facilities, and
- It does provide pedestrian amenities including pedestrian connections within the PUD, benches, waste receptacles, and bike racks.

Mr. Schultz stated in regard to the Site Plan for the Application, it was reviewed by the Town's Consulting Engineers; the Architect and Landscape Architect, the Community Development Department, and the Palm Beach County Sheriff's Office for Crime Prevention through Environmental Design review. Mr. Schultz stated the reviews from Seacoast Utilities and Palm Beach County Fire-Rescue are forthcoming. Mr. Schultz stated that based upon the reviews, Staff finds that the Site Plan meets the Land Development Regulations of the Town Code, it is consistent with Signage and Architectural Guidelines, and it is also consistent with the Landscaping Plan established pursuant to the Congress Avenue Park PUD.

Mr. Schultz reviewed highlights of the Site Plan and stated:

- The Site is located on Tract G1 of the Congress Business Park PUD.
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- Phase I will have site access via three (3) entrances: one at the south along Park Avenue West; and one at the west along the PUD internal road, and one at the east also connecting to the internal road network
- When Phase II is developed it will provide one additional access point on the north side which also connects to the PUD internal network.
- Palm Beach County Traffic Division confirms there is adequate capacity on the roadways to serve the Site.
- The Site Plan meets the Town's Landscaping Code Regulations per the Town's consulting landscape architect review and is consistent with the Congress Avenue PUD's Landscaping Master Plan.
- The Applicant's Paving and Drainage Plan meets the engineering requirements for drainage, via the Town's consulting engineer.
- The Parking Code requirements will be exceeded as the Code requires one (1) space for each employee on the shift of greatest employment; and two (2) customer parking spaces located adjacent to the facility's leasing office, plus one (1) space for every 200 storage bays. The Applicant is proposing for Phase 1: 13 spaces, inclusive of two (2) ADA spaces, which exceeds the minimum number required; and for Phase 2: an additional 26 spaces are added, for a grand total of 39 spaces inclusive of two (2) ADA spaces.
- The Applicant's proposed Master Signage Plan is consistent with the Town's Code and the previously approved PUD Master Signage Plan. The Applicant is proposing: one (1) wall sign and one (1) canopy sign on the west elevation of the Phase I & Phase II buildings; and one (1) wall sign on the north elevation of the Phase II building.
- The Photometric plan meets the minimum requirements of the Code.
- The proposed Elevations for the self-storage facility meet the Town's Architectural Guidelines, as well as the guidelines of the PUD.
- The Crime Prevention through Environmental Design (CPTED) review was performed by (PBSO) and the Applicant has addressed their questions.

Board Member Bontrager asked if the storage facility will be gated to which Mr. Schultz responded that it will not be gated.

Mr. Chegus reviewed the Phase II Site Plan during which canopies and the fourth entry will be added, the perimeter screen will come down and all outdoor storage will be removed and additional greenspace and on-site water retention. Mr. Chegus reviewed the elevations of Phase I and Phase II architecture which will include various textures and colors and metal canopies. He stated there is design connectivity between the site and Aldi and RaceTrac and the colors are in keeping. Mr. Chegus reviewed the signage which he stated will be understated and will include a monument sign.

Mr. Chegus stated he knows it is important to the Town that uses come in which are complimentary and beneficial to surrounding businesses and to the residents, as well as to provide the highest yield investment return in ad valorem tax. He stated they provided an Ad Valorem Tax Analysis of the self-storage use compared to industrial and retail uses. Mr. Chegus explained that self-storage will always provide the most ad valorem taxes because they get an incredibly high amount of volume on the site. The Tax Analysis indicated that, comparatively, the self-storage use will provide approximately \$270,000/Annum ad valorem, as compared to a retail use which would provide approximately \$144,000/Annum.

Mr. Chegus stated self-storage is one of the better uses for this G-1 Parcel in the PUD as a “back-stop” type property, which is centralized for Lake Park and is benefitting not only the residential communities, but also the industrial and business developments, who will also utilize self-storage. He stated that Tax Analysis indicates that this self-storage facility will have a 3-mile ring of influence from which to pull in patrons. He stated that with the future development north of Congress Avenue and Northlake Boulevard, and pending Bioscience and Industrial redevelopment of the Industrial/BRPO lands to the east, the market is robust for the self-storage use.

Mr. Chegus stated that Staff has determined the Site Plan meets all of the review requirements and that the Applicant is in agreement with all Staff Conditions of Approval.

## **PUBLIC COMMENTS**

*Jonathan Flah* - Mr. Flah, a Wellington resident, stated he is very excited to see a project of this nature come to the Town of Lake Park, as the tax benefit alone will be a big benefit to the Town. Mr. Flah stated there is only one other storage facility in Lake Park on Old Dixie Highway and they have nothing available, which indicates there is a need in the Town for self-storage. The proposed self-storage facility has character and detail, more so than the facility going up on Northlake Boulevard.

*Sandie Foland* – a 25-year owner of a business currently located in Riviera Beach but which started off in the Town of Lake Park. Ms. Foland is a Board Member of the Chamber of Commerce. She stated that storage is a problem for both business and personal for everyone in this area. Ms. Foland stated that a quality first-class storage facility is a step forward for the Town.

## BOARD DISCUSSION

Board Member Bontrager asked if there is a website where a complete self-storage facility project in the Southeast United States could be viewed. Mr. Cheguis explained that projects on the website are in the Mid-west and their character is distinct to that area. Mr. Schultz stated the design of this facility is very unique to South Florida.

Regarding landscaping, Vice-Chair Schneider asked if they are able to put anything other than sod in the utility easement, since the landscape buffer overlaps it by 5'. Mr. Cheguis responded that Seacoast Utility typically will allow sod and low groundcover and shrubs, and it was purposely planned to place the trees outside of the utility easement. Vice-Chair Schneider suggested using a larger shrub or small tree or palm in between some of the trees in order to break it up and add height so as to cover the wall. He commented that the Cypress trees and other plantings might be added along the edges of the dry retention areas which are currently proposed as sod only. Mr. Cheguis responded that additional landscaping material would not be a problem.

Vice-Chair Schneider questioned the width and the length of the overhang on the west elevation. Mr. Cheguis responded the canopies will be wide enough to at least cover the sidewalk but is unsure of the length. Vice-Chair Schneider asked Staff if the Applicant is allowed to have two (2) different signs on one façade, to which Mr. Schultz responded they are allowed. He asked where the PUD directional signage will be located. Mr. Cheguis stated there will be signage at each of the four (4) entrances and on the northern road which goes east and west.

Board Member Barnes commented the Applicant did a great job and the project looks beautiful.

Chair Thomas commented that she had spoken with the Applicant prior to this meeting. Vice-Chair Schneider stated that he had met with the Applicant prior to this meeting.

Chair Thomas asked the construction type of the facility to which Casey Tippens responded the building will be concrete block. Chair Thomas expressed a concern regarding the screening for RV outdoor storage. Mr. Cheguis explained the RV outdoor storage area will be completed, enclosed and secure, and heavily screened with landscaping during Phase 1, and there will be no RV outdoor storage during Phase 2.

Chair Thomas asked if there is a uniformity of color within the PUD. Mr. Schultz responded that there are mostly stone colors and earth tones. Ms. DiTommaso stated the PUD does not restrict paint colors but encourages colors that are currently being utilized by surrounding businesses. Chair Thomas questioned if all of the buildings have flat roofs.

Board Member Bontrager asked the Applicant if they have had any 2-phase developments that were not completed, to which Mr. Cheguis responded no.

Chair Thomas suggested not only having architectural features at the pedestrian level but to incorporate the Eldorado stone banding further up along the façade in order to accentuate the east side of the building. Mr. Cheguis responded they will work with Staff to pull in more elements,

perhaps coloration and texture changes, rather than just more Eldorado stone, so that the buildings appear attractive and not too busy.

### **BOARD RECOMMENDATION**

Board Member Bontrager made a motion for approval, and the motion was seconded by Board Member Barnes. Vice-Chair Schneider asked to amend the motion in order to add the Conditions discussed during the meeting: to add additional tall shrubs or palms along the hedge in between the trees around the storage area; to add additional Cypress trees and wet tolerant Florida native plants around the sodded retention area; to ensure the overhang will be wide enough to cover the sidewalk, and to work with Staff to incorporate more of the Eldorado Stonework and/or other colors or textures onto the upper stories. The amended motion was seconded by Board Member Barnes and the vote was as follows:

	<b>Aye</b>	<b>Nay</b>
Judith Thomas	X	
Martin Schneider	X	
Lanae Barnes	X	
Anthony Bontrager	X	

The vote was 4-0 in favor of approval, with Conditions.

### **COMMUNITY DEVELOPMENT DIRECTOR COMMENTS**

The Community Development Director announced that the next Special Call Planning & Zoning Board Meeting will be held on September 12, 2016, at 7:00 p.m. regarding signage variance applications.

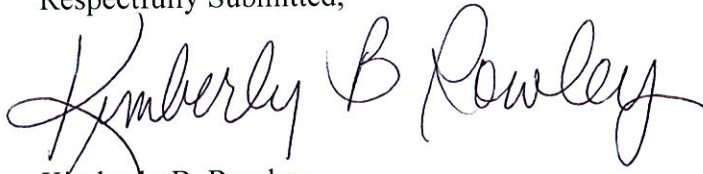
### **ADJOURNMENT**

There being no further business before the Board, Chair Thomas asked for a motion to adjourn. Board Member Bontrager made the motion and it was seconded by Board Member Barnes. The vote was as follows:

	<b>Aye</b>	<b>Nay</b>
Judith Thomas	X	
Martin Schneider	X	
Lanae Barnes	X	
Anthony Bontrager	X	

The vote was 4-0 and the Meeting was adjourned by Chair Thomas at 9:10 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kimberly B. Rowley". The signature is written in dark ink and is positioned above the printed name and title.

Kimberly B. Rowley  
Planning & Zoning Board Recording Secretary

**PLANNING & ZONING BOARD APPROVAL:**

\_\_\_\_\_  
Judith Thomas, Chair  
Town of Lake Park Planning & Zoning Board  
DATE: \_\_\_\_\_

# Spacebox Lake Park – Self Storage Facility

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## Special Call Planning & Zoning Board Hearing Site Plan for Special Exception Use

August 22, 2016

## Project Team

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Applicant – Mr. Casey Tippens, Dir. of Dev.

Space box Lake Park, LLC

Architect – Mr. Wade R. Squires, Principal

Stackable + Squires Design Group

Site Design & Entitlements – Mr. Brian Cheguis

iPlan & Design, LLC

Civil Engineer – Mr. Mark Smiley, Principal

Smiley & Associates

Traffic Engineer – Ms. Yvonne Ziel

Yvonne Ziel Traffic Consultants

## Specific Request

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Seeking Planning and Zoning Board approval of a Site Plan for a Special Exception *Self Storage Facility* use proposed to be developed in two (2) phases for a total of 201,600 sf of enclosed Self Storage use on the subject 4.665 acre property locate on parcel G1 of the Congress Business Park PUD.

## Entitlement Approval History

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June 08, 2014 Master Plan for Congress Business Park (28.66 acres)  
approved by way of Resolution 16-16-2014

October 01, 2014 Tract F was approved for the Aldi Food Market Site by  
way of Resolution 33-10-2014

March 04, 2015 Tract B was approved for the RaceTrac Gasoline Station  
by way of Resolution 07-03-2015

## Location

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Tract G1 of the Congress  
Business Park PUD

Adjacent to Park Ave. W.  
; the US Army Reserve  
Training Facility; water  
retention tract; and,  
Vacant parcels

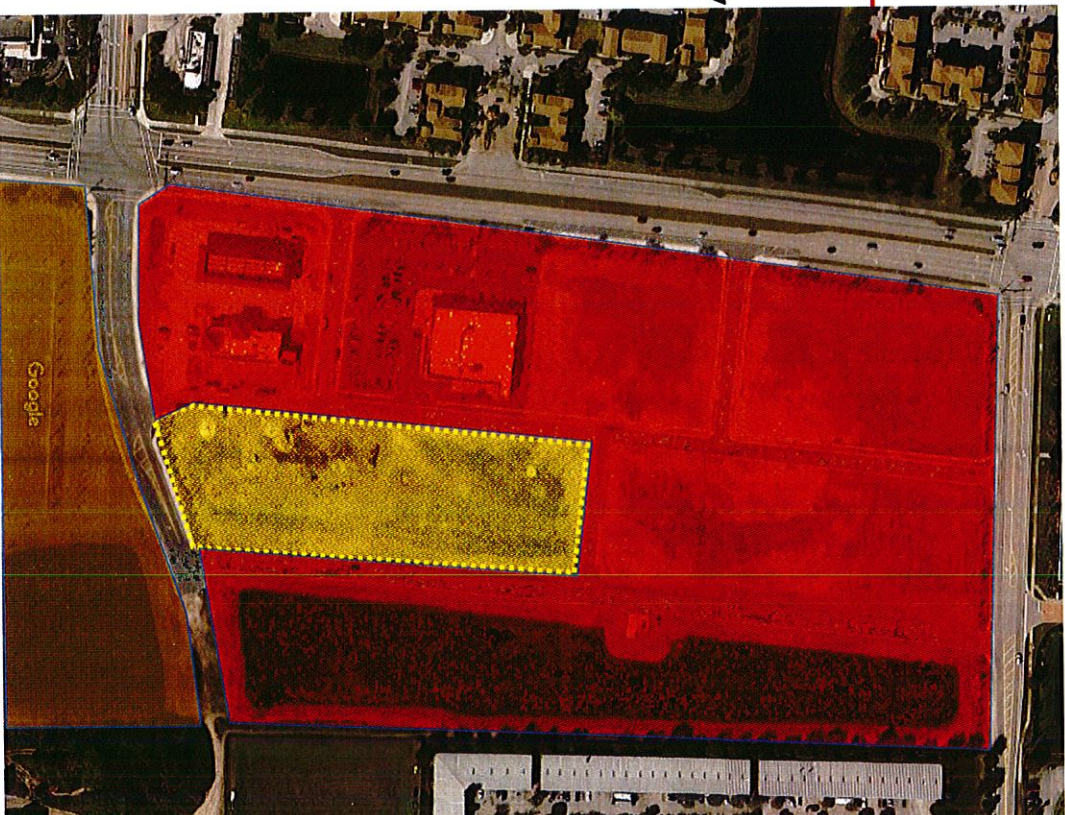


## Surrounding Zoning

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N, E & W:  
Planned Unit Development /  
Commercial 2 (C-2)

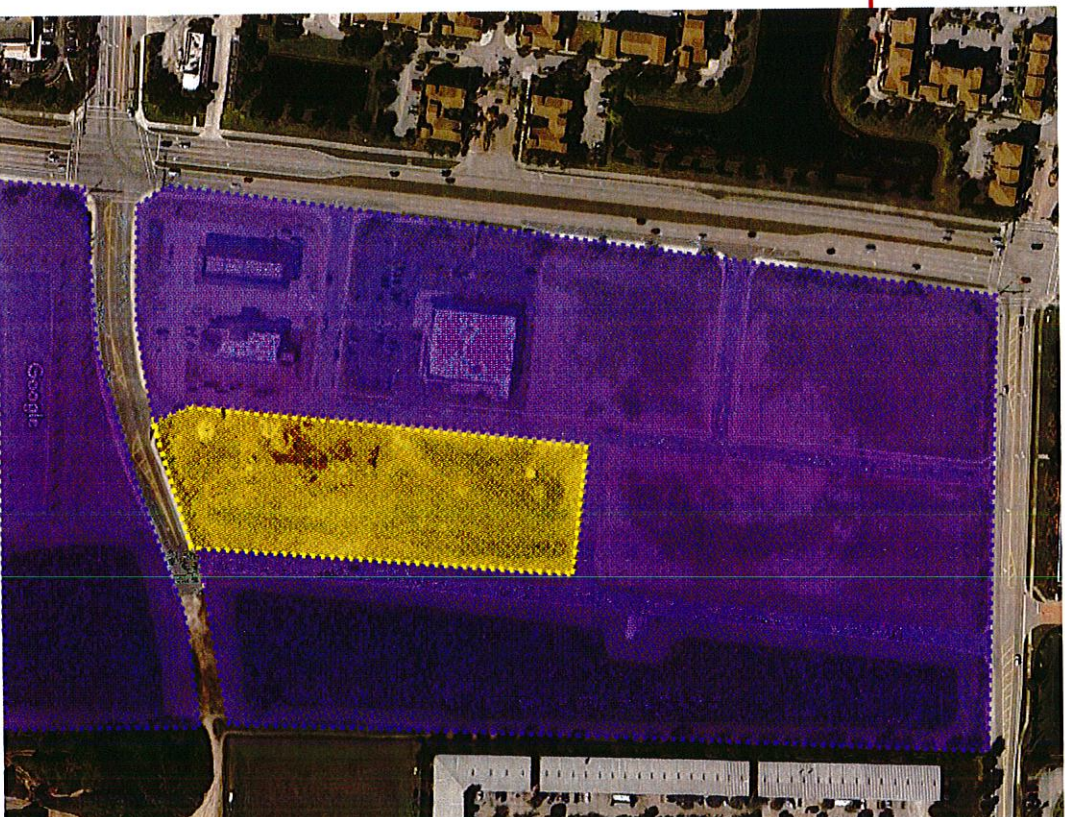
S  
Commercial 4 (C-4)



## Surrounding FLUs

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N, S, E & W:  
Commercial/Light Industrial



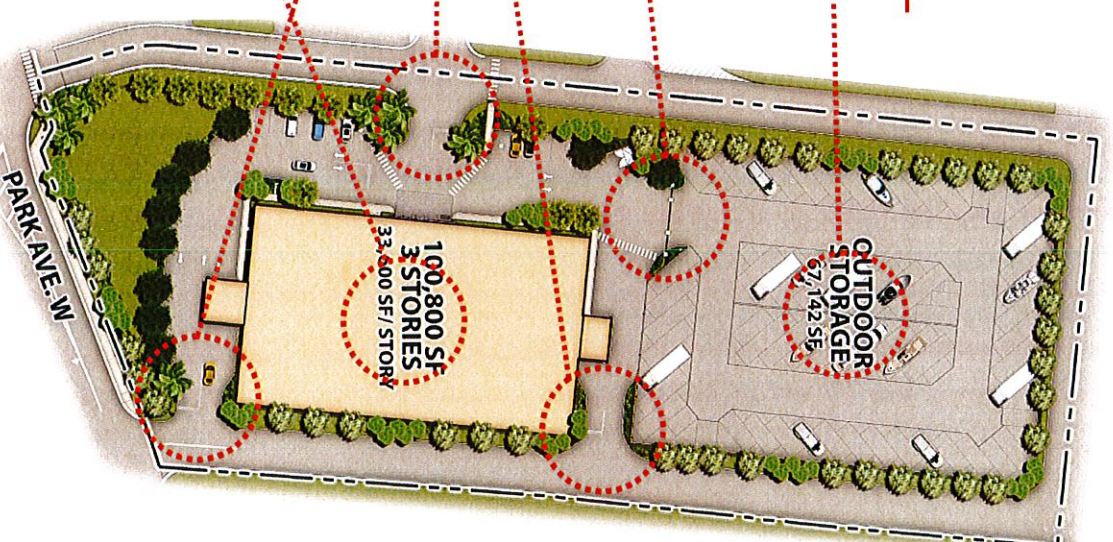
## Phase I Site Plan

OUTDOOR RV/BOAT STORAGE  
FOR UP TO 67 VEHICLES (INTERIM)  
OPAQUE SCREENING & VISUAL BUFFERING

SECURITY GATE & CCTV

MULTIPLE POINTS OF ACCESS  
FOR PATRONS & PBC EMS

3 STORIES / <37.5 FT HEIGHT  
SECURE ACCESS FOR PATRONS  
BLDG. AS TERMINAL VISTA



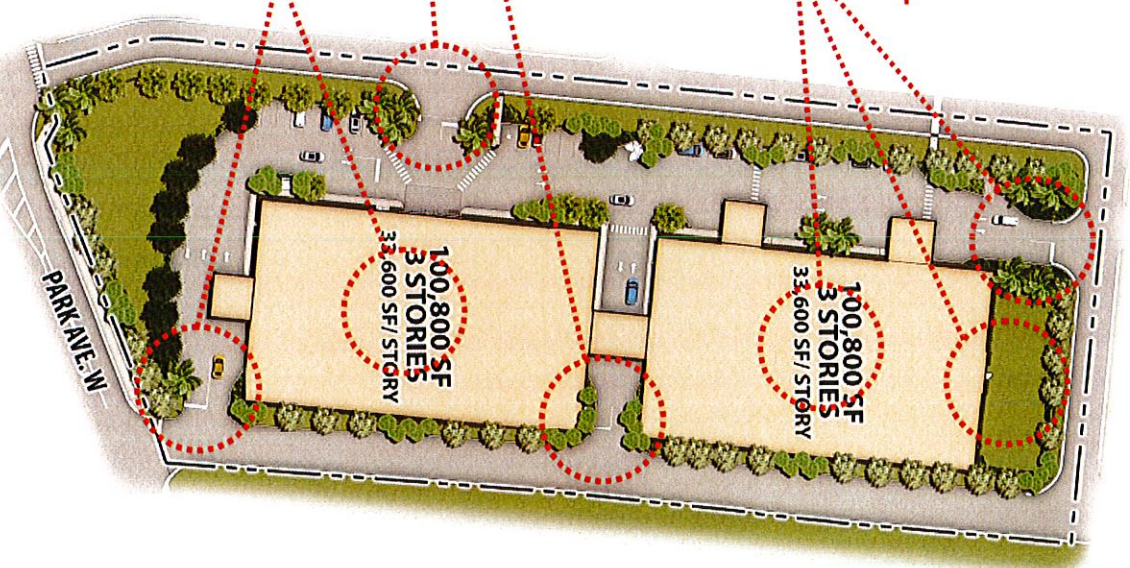
## Phase II Site Plan

2<sup>nd</sup> 3-STORY INDOOR STORAGE BLDG.  
ALL OUTDOOR STORAGE REMOVED  
CONTINUED COMPLIMENTARY ARCH.

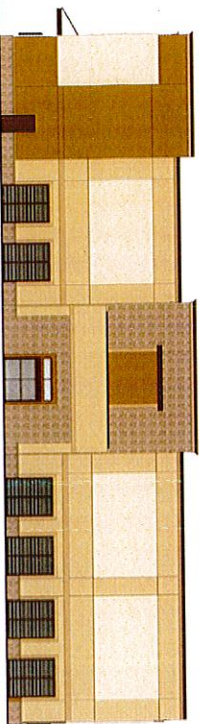
ADDITIONAL GREENSPACE  
& ON-SITE SW RETENTION

MULTIPLE POINTS OF ACCESS  
FOR PATRONS & PBC EMS

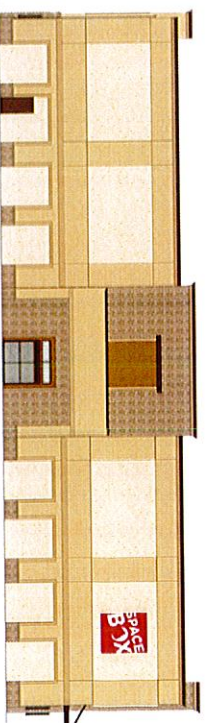
3 STORIES / <37.5 FT HEIGHT  
SECURE ACCESS FOR PATRONS  
BLDG. AS TERMINAL VISTA



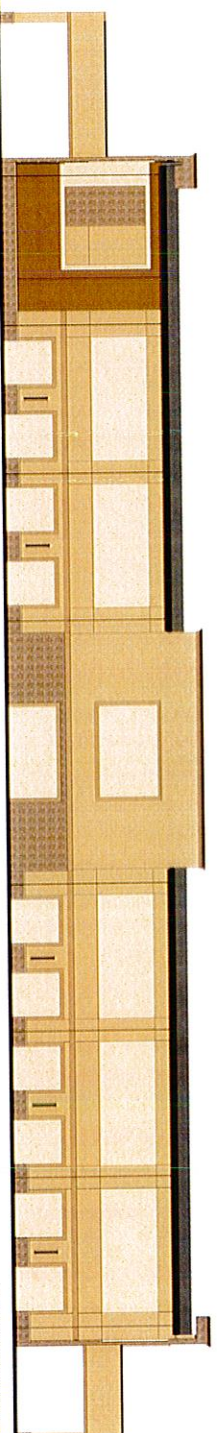
# Phase I Architecture



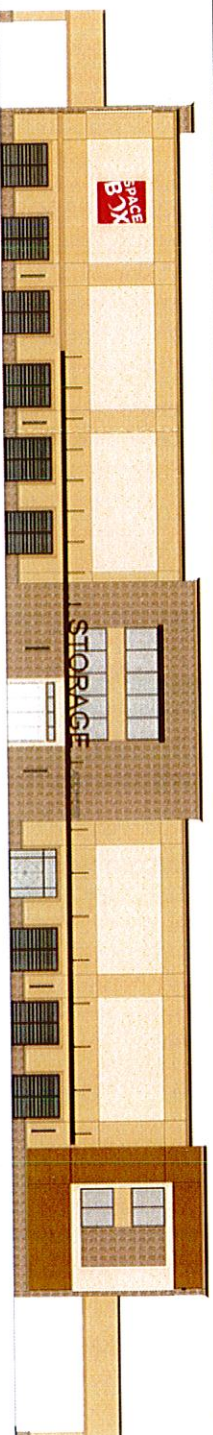
SOUTH ELEVATION RENDERED  
3/25/17 4



NORTH ELEVATION RENDERED  
3/25/17 3



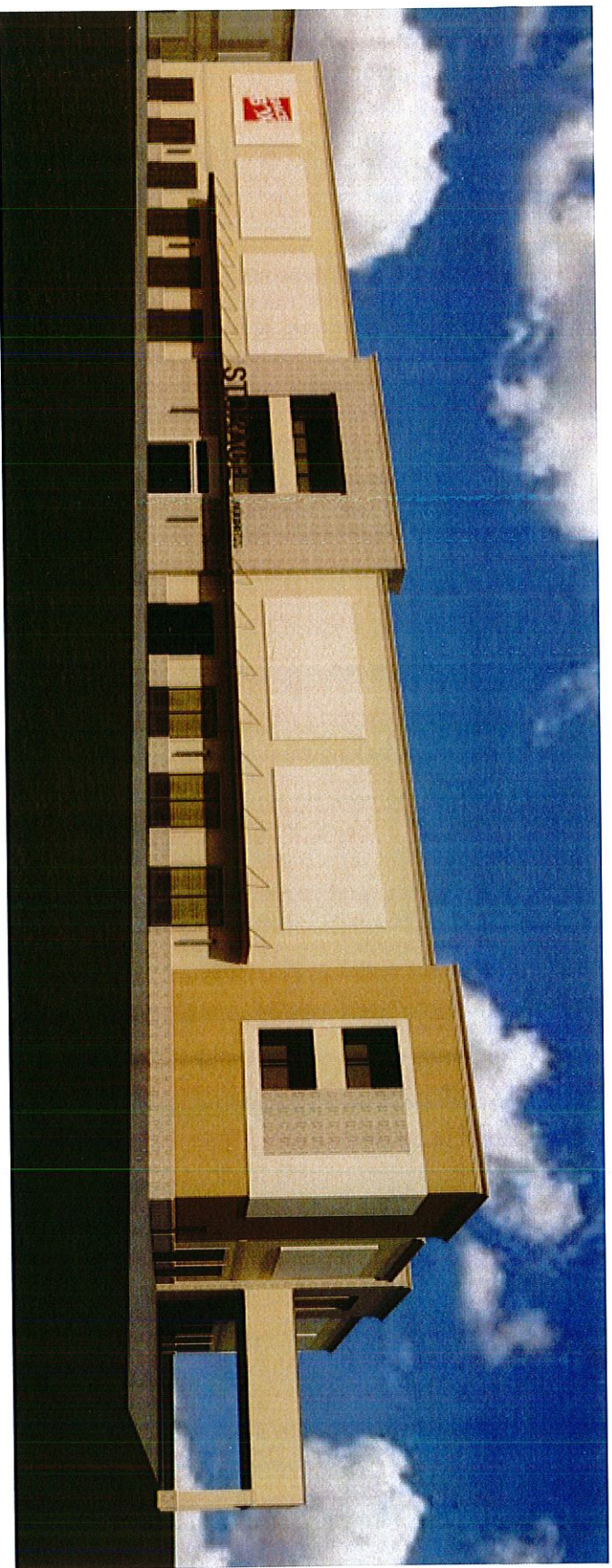
EAST ELEVATION RENDERED  
3/25/17 2



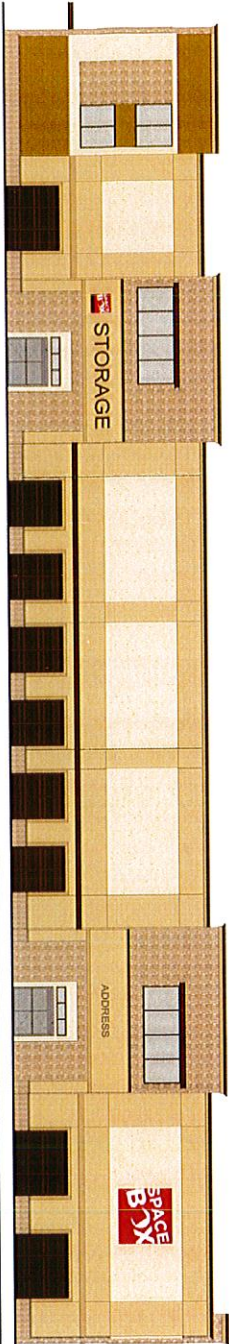
WEST ELEVATION RENDERED  
3/25/17 1

## Phase I Perspective

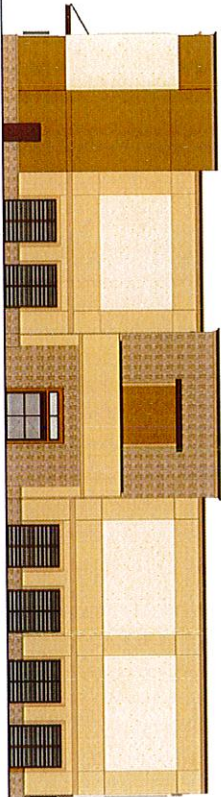
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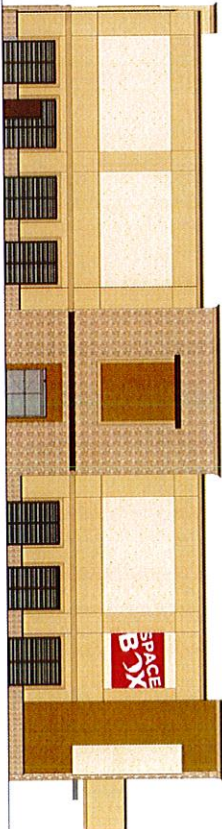
# Phase II Architecture



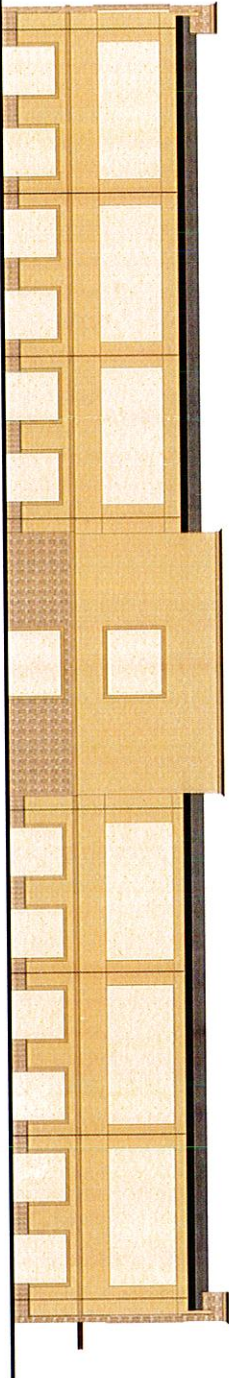
WEST ELEVATION RENDERED PHASE II  
3/27' x 1'-0"



SOUTH ELEVATION RENDERED PHASE II  
3/27' x 1'-0" 3



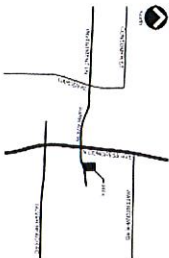
NORTH ELEVATION RENDERED PHASE II  
3/27' x 1'-0" 2



EAST ELEVATION RENDERED PHASE II  
3/27' x 1'-0" 1

# Phase I & II Signage

## LOCATION MAP



## BLDG 1 (PH I NORTH ELEVATION WALL SIGN 8)



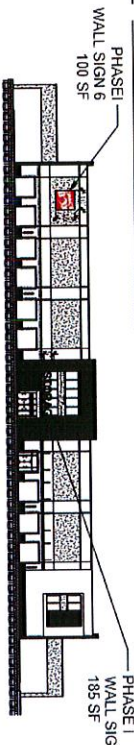
## BLDG 1 (PH I SOUTH ELEVATION WALL SIGN 3)



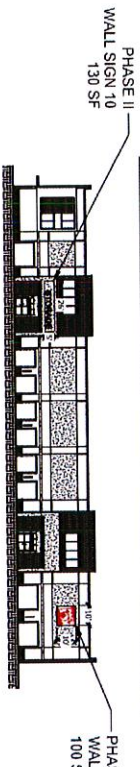
## SPACEBOX LOGO



## BLDG 1 (PH I WEST ELEVATION WALL SIGN 4 & 6)



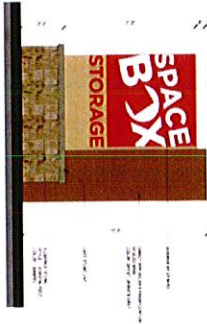
## BLDG 2 (PH II WEST ELEVATION WALL SIGN 9 & 10)



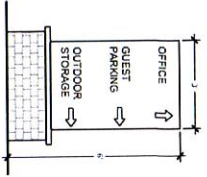
## BLDG 2 (PH II NORTH ELEVATION WALL SIGN 11)



## FREE STANDING SIGN



## PARKING AREA INSTRUCTIONAL SIGN (PH I & II, 4 SIGNS TOTAL)



## Phase II Perspective

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# The Self Storage Market & Taxable ROI for Lake Park



## The Self Storage Market & Taxable ROI for Lake Park

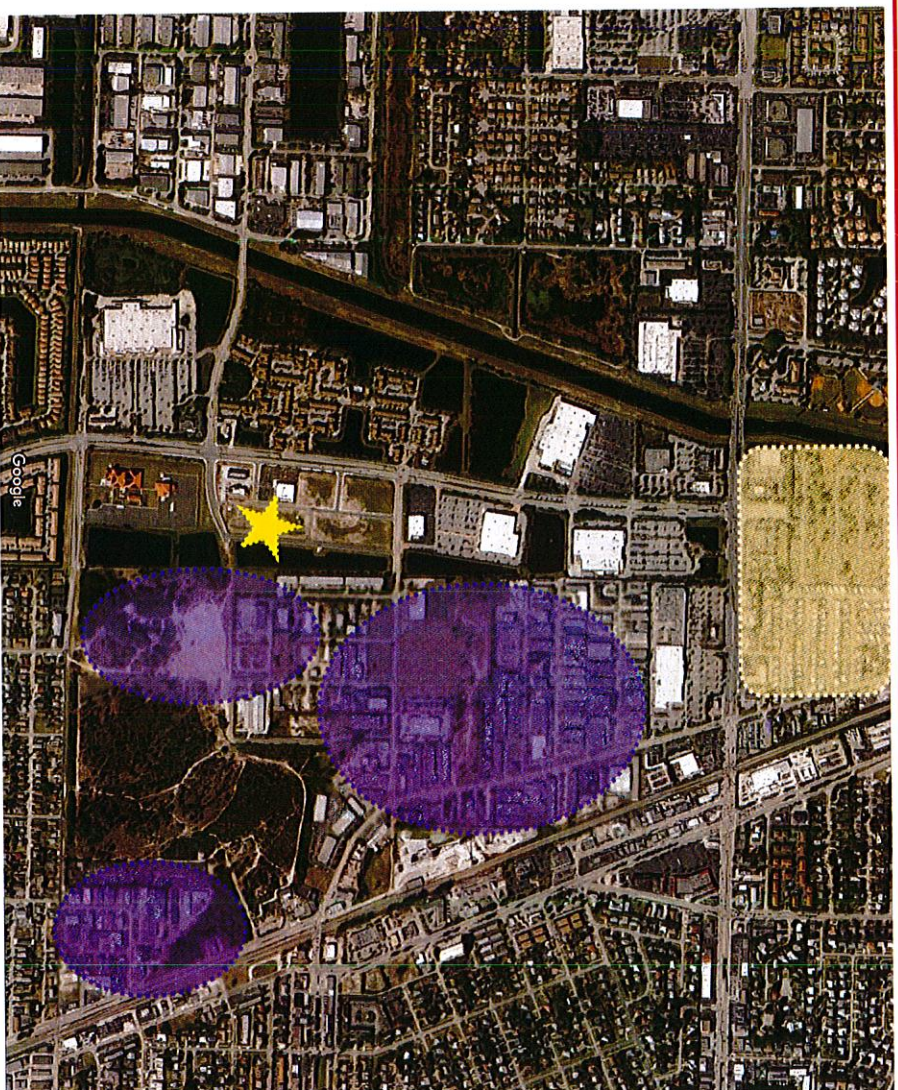
Parcel G1 is considered a “backstop” parcel within this Industrial/Commercial PUD – No Congress Avenue frontage

With future development (north of Congress at Northlake Blvd.) and pending industrial Bioscience and Industrial redevelopment of the Industrial/BRPO lands to the east...market is robust for Self Storage use

Comparatively, Self Storage will provide the highest yield and ultimately the highest Ad Valorem Tax base for the Town (\$279,000.00/Annum) as compared to Retail (\$144,000/Annum) or Industrial (\$150,000/Annum)

# The Self Storage Market & Taxable ROI for Lake Park

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## Site Plan & Special Exception Criteria Compliance

Zoning Staff have determined that the site plan as presented herein meets all of the review requirements (i.e. Access; Traffic; LS; Drainage; Parking; Signage; Photometrics; Water/sewer; Design; Fire and, PBSO (with up to 19 conditions of approval)

Zoning Staff have determined that the Special Exception Criteria (TC – Sec. 78-184) have all been met (i.e. Further Objectives/Policies of the Comp. Plan; Consistent with Zoning; Consistent Character; Non-Proliferation; Impact on surroundings; Noise/Odor/Traffic; and, Contextual Impacts (with up to 19 conditions of approval)

## Staff Recommendation and Conditions

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Zoning Staff are recommending approval of the Two (2) Phase Site Plan and Special Exception Self Storage use with up to 19 conditions of approval

The Applicant is in agreement with all staff conditions of approval.

We are seeking a Planning and Zoning Board recommendation of approval to Town Council as presented herein.

## Conclusion

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The Applicant and Design Team are here to answer any questions

THANK YOU



**TOWN LAKE OF PARK**  
**SPECIAL CALL PLANNING AND ZONING BOARD**  
**Meeting Date: September 12, 2016**

**Applicant(s):** Atlas Sign Industries & Dunway Miskel Backman, LLP [Agent]  
**Owner:** Alert Realty, LC [Owner]  
**Address:** **900 Northlake Blvd.** [Site]  
**Net Acreage:** 0.9605  
**Legal Description:** LAKE PARK ADD 1 LTS 5 TO 7 INC BLK 130  
**Existing Zoning:** C-1 Business District  
**Future Land Use:** Commercial

**Adjacent Zoning**

North: North Palm Beach  
South: R-1 Residence District  
East: C-1 Business District  
West: C-1 Business District

**Adjacent Existing Land Use**

North: Commercial (North Palm Beach)  
South: Residential  
East: Commercial  
West: Commercial

*Please note: the Applicant has submitted two variance applications, one for the parcel with a legal address of 900 Northlake Boulevard (eastern parcel) and one for the parcel with the legal address of 924 Northlake Boulevard (western parcel). **This staff report is specific to variance requests for 924 Northlake Boulevard only – 900 Northlake Boulevard is being presented under separate cover.***

**I. BACKGROUND INFORMATION AND SUMMARY OF REQUEST:**

**Northlake Boulevard Overlay Zone (NBOZ) Background**

The Town of Lake Park executed an Interlocal Agreement with the municipalities of Palm Beach Gardens and the Village of North Palm Beach and Palm Beach County. These local governments wanted to create and apply uniform regulations to Northlake Boulevard to improve its aesthetics and appearance. Accordingly, the Interlocal Agreement was created and the NBOZ was created so that there would be uniform land development regulations, including regulations pertaining to signage and incorporated these regulations that each of the local governments agreed to apply to new development or redevelopment. The NBOZ emphasized a reduction of the signage and enhanced landscaping to improve the aesthetics and appearance of Northlake Boulevard. Please note the NBOZ and Town-wide timeline and the considerable time period and extensions that the Town's has provided for compliance as follows:

- NBOZ was created in 2006 and incorporated a signage compliance timeframe of 10 years (expiring July 5, 2016) for non-conforming signs along Northlake Blvd. only.
- The Town's general sign code was modified in July 2008 and it was more restrictive and provided for a July 1, 2013 compliance date for non-conforming signs.

- In 2011, given the economic downturn and in an attempt to alleviate the strain on commercial property owners and their tenants, an extension to the general sign code was granted to May 31, 2014.
- In 2013, the general sign code signage compliance date was aligned with the timeframe initially anticipated by the NBOZ regulations and extended to July 5, 2016 as the final town-wide deadline in an attempt to further alleviate the strain to commercial property owners and their tenants in all areas of the Town.

At the time this report was written, the Town has achieved approximately 85% compliance with properties having non-conforming signage in the NBOZ. Among the 44 parcels that are located within the NBOZ, 38 sites have complied with the district's sign regulations. The six remaining parcels is inclusive of 900 and 924 Northlake Blvd. These figures are based on demolition and sign permits that have been received or recently issued by the Department (some sites with non-conforming signage are simply awaiting installation of compliant signs or demolition of non-conforming ones, but have acknowledged their desire to fully comply with the Code).

### **Background of Request**

The site is located at 900 Northlake Boulevard on the south side of the street between Prosperity Farms Road (west) and Poplar Court (east). It is located in the NBOZ EAST District. There is one existing commercial building at the site that was constructed in 1966, per Palm Beach County Property Appraiser records. The site is part of an overall development known as Colonial Village constructed across two parcels that share joint access with one another (official cross/joint access agreement will be required prior to permit issuance). The site discussed in this staff report is the easternmost parcel with the address of 900 Northlake, while the adjacent or westernmost parcel has the address of 924 Northlake.

The parcel identified as 924 Northlake has three buildings constructed in 1965, 1966, and 1973. Together, these three buildings and the one building at 900 cross the two parcels to form one contiguous shopping plaza having a unified parking lot with two rows of angled parking stalls that are separated by a one way drive aisle. There are three driveways providing ingress and egress to the site to/from Northlake Blvd. and two driveways providing the same to/from Poplar Court.

The buildings comprising Colonial Village front Northlake Blvd. are situated close to the roadway at approximately 45 feet from the public right of way. One building has a mansard roof, two having a parapet wall with flat roofs and the other having a gabled roofline. While the roof architecture varies, each of the four buildings have a consistent wall space below their respective rooflines where large, highly visible cabinet signs identify each tenant. The buildings and their wall signs are highly visible from Northlake Blvd. because the site lacks required landscaping and trees, which allows motorists and pedestrians to clearly see and read the large cabinet signs on the walls. The applicant describes the intentional design of the property in their application on page 1, #8(a), second paragraph.

Each wall sign has a white background and lettering in large fonts that are brightly colored and contrast well against its white background. Eastbound traffic is provided an unobstructed view of all wall signs, while westbound traffic has only minimal obstructions due to landscaping in the center median, which measures approximately 150 linear feet. The Site itself measures approximately 500 linear feet, thus allowing westbound traffic unobstructed visibility of the wall signs for approximately 350 linear feet.

Staff conducted a site visit to evaluate the legibility of the wall signs from various distances and to observe if and how the landscaped median obstructs the view from the north side of Northlake. Staff

found that when walking along the north side of Northlake Blvd. the wall signs at colonial village were still legible, highly visible and were very minimally obstructed by the palm tree trunks and narrow canopies of evergreen trees (see Appendix 'A'). In comparison, we found that lettering on tenant appendages of the existing freestanding signs were not legible or barely legible at all from the north side of the street as compared to the wall signs. They were also more difficult to read than the wall signs at certain distances when in the eastbound lanes.

The dimensions of the existing wall signs each measure 33" or 2.75' tall and have varying lengths depending on the individual suite frontage. The smallest wall sign length measured approximately 15' while the longest measured approximately 40'. Dimensions of the existing freestanding sign's tenant appendages are 17.5" or 1.5' tall and are each 108" or 9' long. In comparison, the proposed monument sign has substantially reduced tenant appendages that will not increase the readability of the proposed signs beyond what exists at the site.

### **Summary of Request**

The Applicant is proposing to construct one monument sign at the east most corner of the parcel identified as 900 Northlake. The proposed location is adjacent to the intersection of Poplar Court and Northlake Blvd. The new monument sign proposed will be 10'6" tall and 10' wide. The sign face, where tenant appendages will be placed measures 8' x 6' and will provide space for 12 tenant signs each dimensioned at 10.25" tall by 4' wide (see variance application for visuals). The applicant is requesting two variances to the Land Development Regulations (LDR) as it relates to this proposed monument sign described above. Those requests are as follows:

- (1) increase the size of the sign face to 48 square feet from the maximum allowable square footage of 30 square feet; and,
- (2) increase the height of the sign to 10'6" from the allowable maximum height of 8 feet.

<b>Variance Number</b>	<b>Section:</b>	<b>Required:</b>	<b>Proposed:</b>
1.	Section 5-6(c)(2)(e) Maximum Areas	30 square feet per sign face (total 60 square feet double-sided)	48 square feet per sign face (total 96 square feet double sided)
2.	Section 5-6(c)(2)(f) Maximum Height	8 Feet	10 feet, 6" inches

The Applicant's justification for the increase in height is to ensure the sign will not be obstructed by vehicles parked in adjacent parking stalls. However, there is no Town Code or State Law that guarantees a property owner unobstructed views of their property from any right of way.

## II. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The following Comprehensive Plan statements are applicable in this case:

Policy 8.1: The Town shall strictly enforce land development regulations during the plan review and implementation process.

Policy 10.1: Coordinate the Town's efforts to implement any roadway maintenance, signage, striping or any other activity affecting Silver Beach Road, Northlake Boulevard and Old Dixie Highway with the City of Riviera Beach and/or Village of North Palm Beach.

OBJECTIVE 4: The Town transportation system will emphasize safety and aesthetics.

## III. LAWS ON VARIANCES

Section 55-63 (2) of the Town Code vests the Planning and Zoning Board with final authority regarding variances. Section 78-185 of the Town Code establishes criteria which must be met to entitle an applicant to a variance. The Board must find that each of the 7 criteria have been met to entitle an applicant to the requested variance relief. The 7 criteria are that:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building;
- (2) The special conditions or circumstances are not a result of actions by the Owner/applicant;
- (3) Granting the variance will not confer on the Owner any special privilege that is denied to others;
- (4) A literal interpretation of the land development regulations would deprive the Owner of rights commonly enjoyed by other properties in the same zoning district;
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) The granting of the variance will be in harmony with the general intent and purpose of the land development regulations and will not be injurious to the area involved or otherwise detrimental to the public welfare and;
- (7) Granting the variance would not be contrary to the comprehensive plan.

In evaluating these criteria, Courts have placed emphasis on criteria # 4 above, by holding the Owner/Applicants for variance relief and the governing board evaluating the application, to the rigorous standard of whether the denial of the variance would render the Property virtually unusable. See Bernard v. Town of Palm Beach, 569 So. 2d 853 (Fla. 4<sup>th</sup> DCA 1990).

### III. ANALYSIS OF CRITERIA AND FINDINGS FOR VARIANCE

Below are listed the seven (7) variance criteria from Code Section 78-185 which all must be met before a variance can be granted.

CRITERIA 1: That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

No. There are no special conditions that exist as it relates to the Site's shape, size, topography or other physical features and dimensions which are not applicable to other lands, structures or buildings in this zoning district.

The Site is not unique to this zoning district when it is compared to its neighbors in the NBOZ East District. For example, 450 Northlake Blvd. is another multi-tenant complex in this District having the same building placement, traffic circulation and parking as the applicant has. At this site there is one compliant freestanding sign displaying the name and address of the complex and one appendage displaying the most prominent tenant. The Town's sign code is in place to provide an opportunity for every site to have a sign, but it is not a guarantee that every tenant at a single site will have signage.

Finally, existing conditions resulting from the permitted or unpermitted development of a site cannot be used to justify a special condition(s) since the site(s) were developed with the purposeful intention to create the existing configuration. These conditions were assumed by the current property owner when ownership was taken. Therefore, the proposed location and restricted visibility of the proposed monument sign is not a hardship applicable to the variance criteria.

Criteria #1 NOT met.

CRITERIA 2: That the special conditions and circumstances do not result from the actions of the applicant.

Yes. The need for variances are a direct result of actions of the Applicant since the special conditions cited by the Applicant are a direct result of the purposeful development of this site that has resulted in conditions for which these two variances are being sought. The current owner assumed the existing conditions at time of ownership. Further, the Town is within its rights to implement, modify or change in any way its code of ordinances that may cause structures or uses to become non-compliant.

Criteria #2 NOT met.

CRITERIA 3: That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.

Yes. Granting of a variance(s) will confer a special privilege upon the applicant that is denied to other businesses in the NBOZ who are all required to meet the same sign regulations. Many sites in this district have already complied with the sign code and have compliant ground signs, some of them are multi-tenant sites like the applicants, (see Appendix B) or have simply demolished without replacement. Granting of these variances will be injurious to those who have complied with the code.

Criteria #3 NOT met.

CRITERIA 4: That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter, and would work unnecessary and undue hardship on the applicant.

No. A literal interpretation of the Code would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district or create unnecessary and undue hardship on the applicant because the applicant can install a compliant monument sign as other multi-tenant property owners have done across the entire NBOZ overlay. Please refer to appendix 'B' for examples of other multi-tenant sites with compliant signs. Again, the sign code does not guarantee a property owner that every tenant on a single site will be represented by freestanding signage, but does provide the ability to identify the sites name, address and most prominent anchor tenants, which is possible at this site. All other sites in the district are required to comply with the same regulations unless they are the subject of a Planned Unit Development whereby certain land development regulations have been waived in exchange for a public benefit that is being provided.

The justification statement on Page 2, item c. of the application states "Literal interpretation of the zoning code would deprive the applicant and its retail tenants from the commercial signage exposure afforded to other similar business in Town." However, when staff surveyed all other multi-tenant sites located in the NBOZ we found that none had the type of freestanding sign exposure the applicant is requesting via these variances. In fact, the other examples, which are identified in Appendix B, are mostly internalized shopping centers, have little or no frontage on Northlake. Those sites had compliant monument signs that displayed the name and address of the complex and a few anchor tenant appendages. In comparison, Colonial Village fronts Northlake with a setback of only 45' and all of its tenants already have highly visible, large wall signs that are unobstructed as described in the Background Section. Therefore, the applicant's statement about being afforded the same exposure could not be verified based on the similar businesses and signage that exists today.

Criteria #4 NOT met.

CRITERIA 5: That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

No. The two variances requested are not the minimum variances to make reasonable use of the land, building or structure because the site has no physical hardships that are not self-imposed that necessitate a variance.

In regard to the variance for increased height, the sign code does not guarantee signage that is highly visible or to have unobstructed views since every site has varying conditions, such as this site that was purposefully developed in a manner that caused obstructed views.

In regard to the variance requested to increase sign face square footage, the desire to fit all or most tenants on the sign face is not a result of any special physical conditions of the site.

Criteria #5 NOT met.

CRITERIA 6: That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

No. The granting of these two variances will not be in harmony with the general intent and purpose of the LDR's and it is injurious to the area and public welfare.

#### Code

The proposed sign is not consistent with the standards of the NBOZ sign code since it was developed by and implemented as a joint effort among multiple jurisdictions to unify the entire Northlake Blvd. corridor and improve its aesthetics. Allowing a variance for a taller and larger (sign face) monument sign will break the visual pattern the code was intended to create.

#### Injury to area

All other property owners in this district are required to remove their non-compliant freestanding signs, and those who have not have received notices of violation, or are in the process of modifying their signs, or are part of a unique PUD configuration. The department has issued approximately 20 demolition permits this year to property owners on Northlake Blvd. for the removal of their non-compliant freestanding signs. Allowing a variance for a taller and larger sign will be injurious to all who have complied and inconsistent with the size and height of all other monument signs that exist in the East District since no other variances have ever been granted in the East District to deviate from the monument sign regulations (both in Lake Park and North Palm Beach).

#### Public welfare

Visibility triangles are being met based on the proposed location and setbacks. Sign would not be injurious to the public welfare.

Criteria #6 NOT met.

CRITERIA 7: That the variance would not be contrary to the comprehensive plan of the town.

The granting of these two variances is not consistent with an Objective and Policies of the Town's Comprehensive Plan. Granting these variances is inconsistent with Policy 8.1 because it is contrary to the shared sign regulations adopted by the Village of North Palm Beach, Palm Beach Gardens, and Palm Beach County as part of the NBOZ. Granting the variances would also be inconsistent with Policy 10.1 and Objective 4, which requires adherence to the land development regulations and to prevent signage or other distractions that reduce the safety on the roadways.

Criteria #7 NOT met.

## V. STAFF RECOMMENDATION

The applicant has worked with staff for several months and has attempted to bring their proposal as much into compliance as possible, but based on the review of their final submittal and the seven criteria for the granting of a variance, staff recommends **DENIAL** of the two variances (namely 900 Northlake which is the nature of this report) because they do not meet any of the seven criteria required for the granting of a variance. In addition, denial is recommended since a fully compliant sign is possible at this site, the site has no physical hardships or special conditions that are not self-imposed, it will be injurious to the numerous property owners who have already complied, and that existing permitted conditions of a site do not warrant a variance. Lastly, the Sign Code and State law do not guarantee any property owner shall have unobstructed views from a right of way.

More particularly, staff had responded to the Applicant's final iteration of the proposed monument signs for 900 and 924 Northlake Boulevard in stating (*cross and joint access agreement required at permit issuance*): "A cross and joint access agreement/easement IS required by Code for the properties since both parcels share parking and access points. This cross and joint access agreement/easement can include provisions indicating that both parcels have the ability to share monument signs for the purposes of advertising all tenants. Consequently, since the property has 14 tenants, the signs can be modified as follows..." Suggestions:

### 900 Northlake Boulevard:

***This monument sign CAN meet the 8 foot height requirement and 36 square foot maximum size if two tenants are removed from the sign and the base is lowered by 1.5 feet. This would provide for 10 tenants on this monument sign.***

***...OR, 4 tenants are removed and the base remains as-is, for a total of 8 tenant names on this sign, plus 6 tenant names on the second monument sign, satisfying the 14 total tenants.***

## 924 Northlake Boulevard

***This monument sign CAN meet the maximum 36 square feet of sign face requirement if 2 name plates (as currently configured) are removed. This would leave space for a total of 6 tenants (in addition to the space provided on the other monument sign that is being proposed)***

### Summary of Consistency with Criteria for variance request #1 & 2

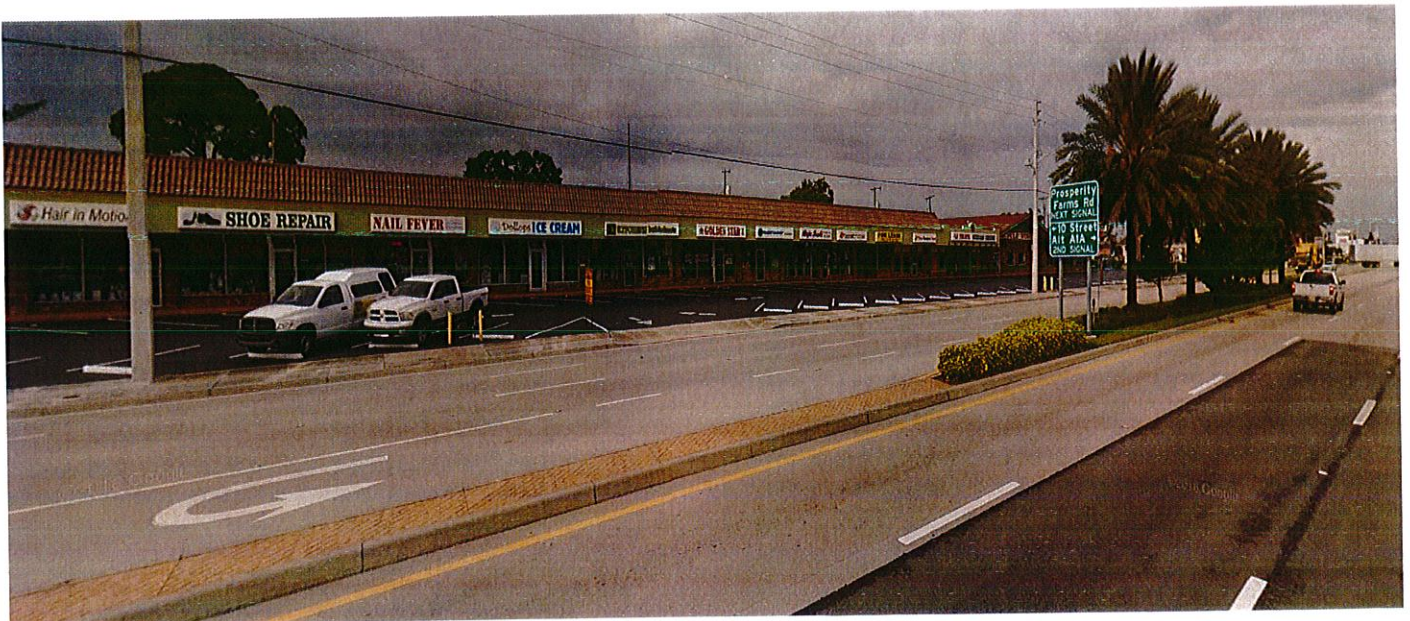
		Consistent	Inconsistent
1.	Special Conditions		<b>X</b>
2.	Actions of the Applicant		<b>X</b>
3.	Special Privilege		<b>X</b>
4.	Literal Interpretations		<b>X</b>
5.	Minimum Variance		<b>X</b>
6.	Public Interest		<b>X</b>
7.	General Harmony		<b>X</b>

## **VI. MOTION FOR THE BOARD TO CONSIDER:**

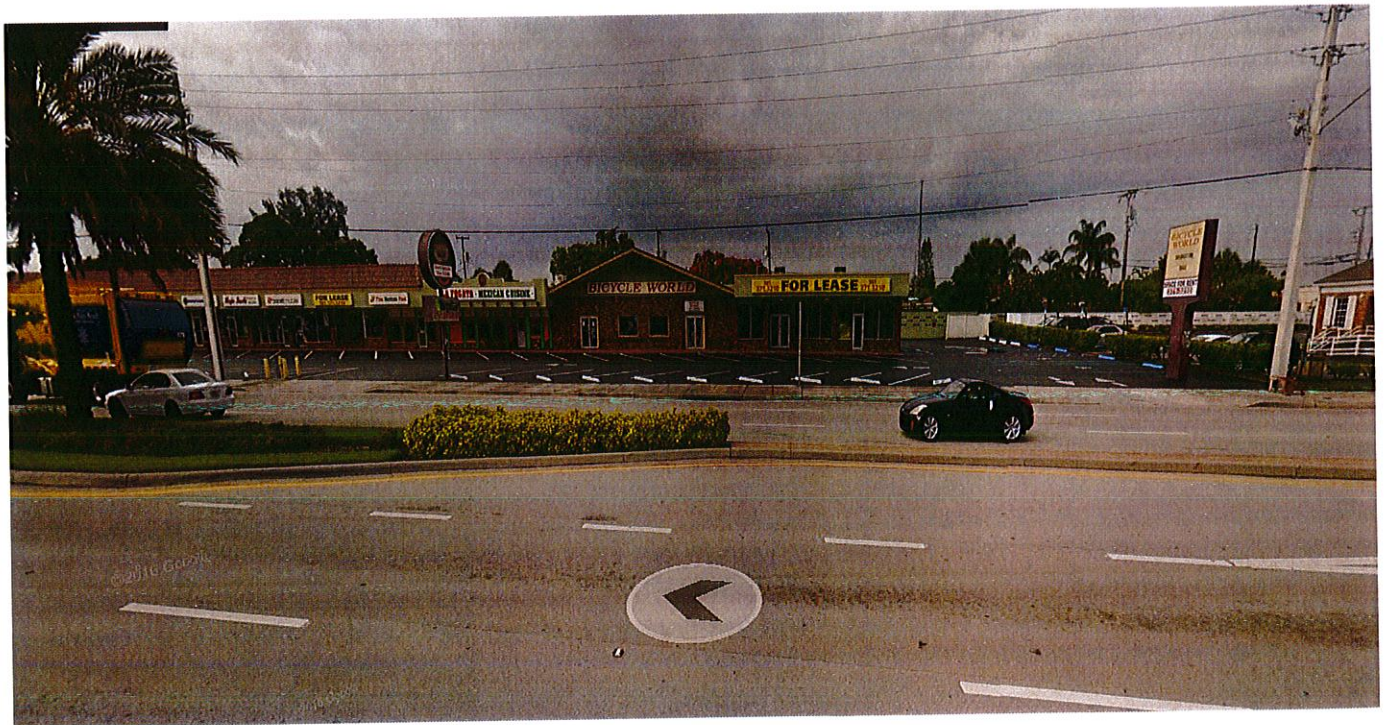
Based upon the analysis contained in the Staff report, I move to **DENY** the variance request for 900 Northlake Boulevard.

## APPENDIX 'A'

### PICTURES OF SITE TAKEN FROM NORTH SIDE OF NORTHLAKE BLVD. IN WESTBOUND R.O.W.



## APPENDIX 'A'



APPENDIX 'A'

COLONIAL VILLAGE FROM  
EASTBOUND R.O.W.



## APPENDIX 'A'



## APPENDIX 'A'



## Appendix 'B'

### MULTI-TENANT SITES HAVING COMPLIANT SIGNAGE OR SIMILAR SITES WITH NO FREESTANDING SIGN

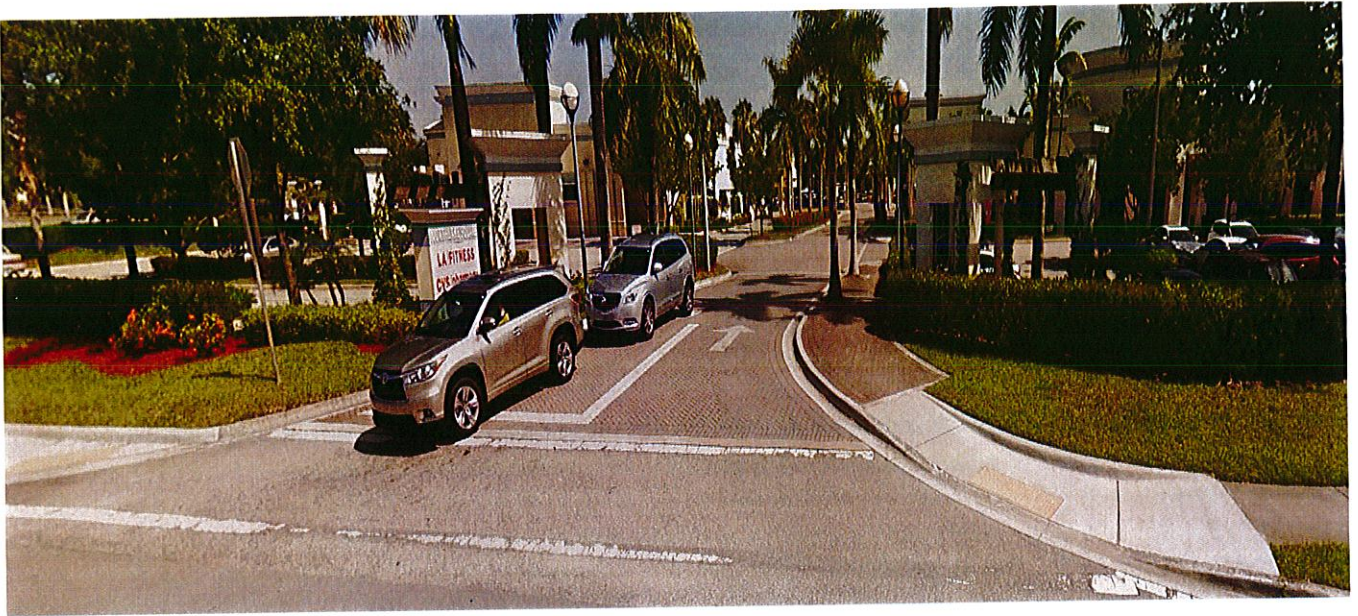
450 NORTHLAKE BLVD.: Compliant multi-tenant with a similar building and parking placement.  
Only one tenant represented on sign.



524 NORTHLAKE BLVD.: A compliant multi-tenant not representing all tenants (landscaping is being worked on).

## Appendix 'B'

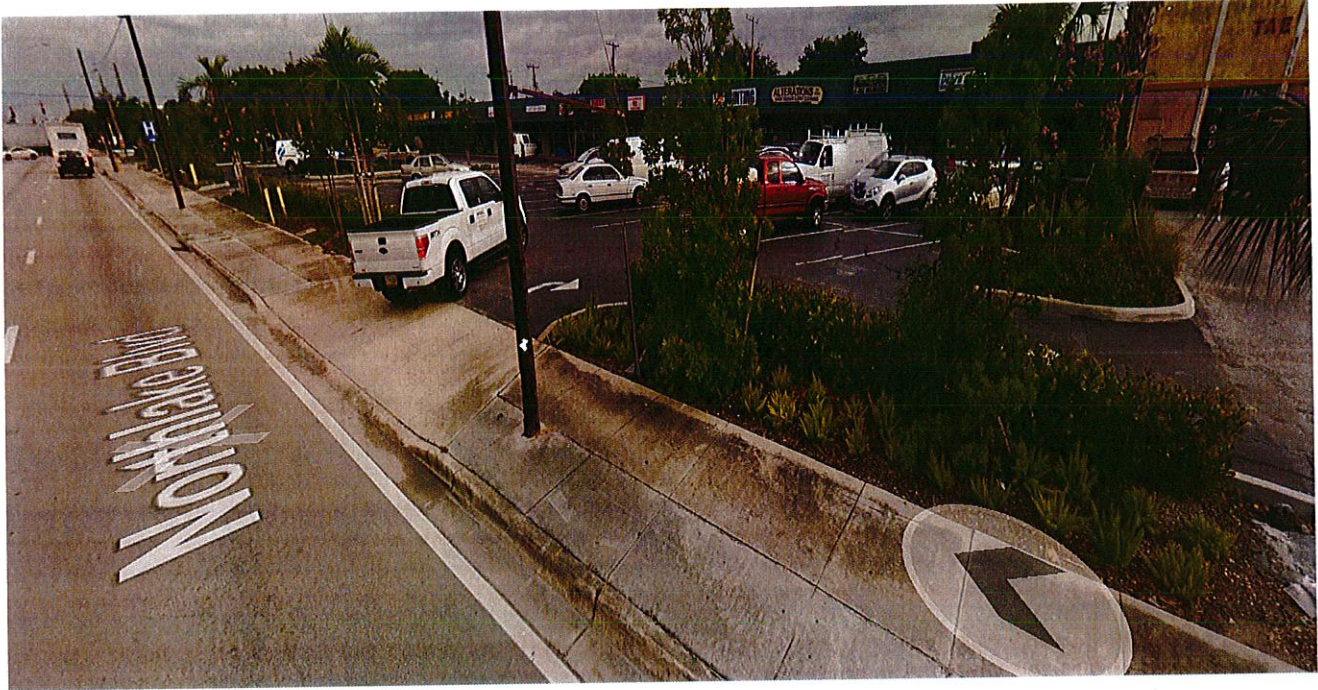
3168 NORTHLAKE BLVD. (Palm Beach Gardens): Internalized multi-tenant complex without street frontage. Monument sign obstructed by ingress/egress traffic only representing anchor tenants.



3880 Northlake Blvd. (Palm Beach Gardens): Another internalized multi-tenant complex without street frontage. Monument sign obstructed by ingress/egress traffic only representing anchor tenants.

## Appendix 'B'

807 NORTHLAKE BLVD. (North Palm Beach): Located across the street from Colonial Village is a similar commercial complex having no freestanding signage and a building set much further in from the street than Colonial Village.





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#### CORPORATE HEADQUARTERS

1077 West Blue Heron Blvd., West Palm Beach, Florida 33404  
PHONE: (561) 863.6659 / 800.772.7932 FAX: (561) 863.4294  
www.atlassignindustries.us

#### NORTHEAST DIVISION

707 Commerce Drive, Concord, North Carolina 28025  
PHONE: (704) 788.3733 / 800.772.7932 FAX: (704) 788.3843

**TOWN OF LAKE PARK  
APPLICATION FOR SIGN VARIANCE  
COLONIAL VILLAGE  
900 NORTHLAKE BLVD  
LAKE PARK, FLORIDA  
MAY 16, 2016  
Updated August 9, 2016**

#### Introduction:

In order to complete the design of the replacement monument signage for Colonial Village located at 900 Northlake Blvd., Lake Park, a variance is being requested from the signage regulations for properties along Northlake Blvd. Chapter 78, Appendix A, Division 5 of the Town of Lake Park Land Development Regulations / NBOZ.

Variance Number	Section:	Required:	Proposed:
1.	Section 5-6(c)(2)(e) Maximum Areas	30 s.f. (w/5' setback)	48 s.f.
2.	Section 5-6(c)(2)(f) Maximum Height	8 Feet	10'6"

8. Applicants statement of explanation, needs and reasons for the requested changes which addresses the following items:

**a. Explain the special conditions or circumstances that exist that are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:**

The sign variance is required due to special conditions associated with the property location and existing site conditions. Colonial Village was constructed over a period of 8 years, commencing in 1965 with building 1 and completing in 1973 with building 3 (building 2 was completed in 1966). Considering its age and location, Colonial Village has been a landmark for decades including it's Clock Tower pylon sign. Alert Realty purchased the property in 1976 and has been diligent with upkeep, modernization and improvements throughout their approximate 40 years of ownership. This landmark retail shopping center is unique as it hosts three (3) ground signs that were permitted and established throughout it's growth (1 per building). The 3 signs remain today.

The shopping center is also unique with existing customer parking spaces fronting both Northlake Blvd and the retail spaces. Unlike more modern shopping centers, Colonial Village was permitted and did not require any landscaping or other buffers separating the right of way from the parking areas and drive aisles. The location of the existing free standing



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proposed sign package includes enhanced aesthetically pleasing signage that is smaller in height and area than the existing signs on the property.

**d. Explain how the variance requested is the minimum variance that will make possible the reasonable use of land, building or structure:**

The variance requested is the minimum necessary to conform to and adhere to the guidelines set forth within the NBOZ while protecting the existing uses and tenants located at the property and preserving property values by providing fair and adequate identification to the existing business located within Colonial Village retail center. The proposed signage will create a more attractive economic and business climate. Any further reduction beyond the proposed development package would inflict undue hardship to loyal and committed businesses within the Town of Lake Park and Colonial Village. In addition the proposed variance will not have any negative impacts on any of the surrounding properties.

**e. Explain how the granting of the requested variance will not confer on the Applicant any special privilege that is denied by the Zoning Code to other properties in the same zoning district:**

The requested variance will not confer on the applicant any special privilege due to the unique conditions of this property described herein.

**f. Explain how the grant of the requested variance will be in harmony with the general intent and purpose of the Zoning Code and not be injurious to the neighborhood or otherwise detrimental to the public welfare.**

The requested variance will be in harmony with the general purpose and intent of the Zoning Code and will not be injurious to the neighborhood or detrimental to the public welfare. As noted above, the proposed sign package provides aesthetically pleasing monument signs that are smaller in height and area than what currently exists. Granting this variance will actually ensure that the businesses located within Colonial Village remain successful corporate residents for the Town for many years to come.

In conclusion, the proposed monument signs are visually complimentary to the architecture and scale of the building and will continue to be in harmony with the general intent and purpose of the code. Granting the requested sign variances will not be injurious to the surrounding area and will not be detrimental to the public interest, but rather will enable the businesses to prosper and have a positive influence on the community. Existing as well as potential customers will be attempting to locate various businesses located within Colonial Plaza. Our goal is to ease traffic by making the various retail locations visible and provide a safe flow into the parking lot.

The commercial retail establishments along with Alert Realty respectfully request approval to the signage variances.



**CORPORATE HEADQUARTERS**  
107 West Blue Heron Blvd., Suwanee, GA 30066  
Phone: (404) 883-4699 / (800) 772-7832 Fax: (404) 883-4294

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S.O. No.	63009
Sheet No.	1-J
Date	11/11/2016
Print	Colonial Village FL Lake Park
PM	A. Southern
Drawn By	T. Gustave
Scale	As Shown
Revision 1	04/01/16 By DR
Revision 2	05/05/16 By DR
Revision 3	6/22/16 By CB
Revision 4	07/05/16 By DR
Revision 5	07/12/16 By DR
Revision 6	



Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

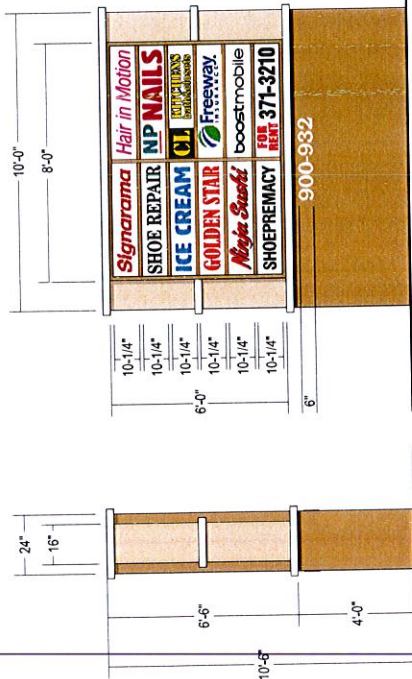
☐ APPROVED AS SHOWN  
☐ APPROVED AS NOTED  
☐ CORRECT & RESUBMIT

**SCOPE OF WORK:**

1. Manufacture new double face multi-tenant monument sign.
  2. Install on existing footing and upright steel support on site in designated area.
- NOTE: Signarama and Freeway Insurance artwork to be provided by client prior to production.**

**SQUARE FOOTAGE:**

Existing | 9.17H x 9.17L = 84.03 SF  
Allowable | Max 10'-0" Height; NTE 36.0 SF  
Proposed | 16.0H x 8.0H = 48.0 SF



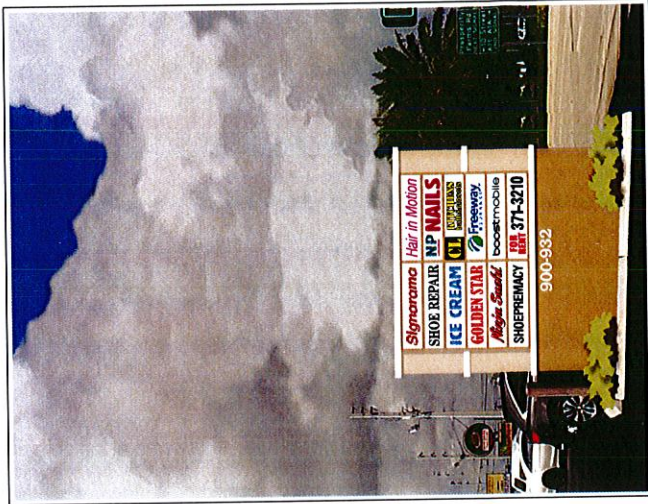
**MONUMENT SIGN ELEVATIONS | 1/4" = 1'-0"**

**DESCRIPTION:**

1. Sign is double face and fabricated from aluminum.
2. Faces are 7328 LD white acrylic with exterior surface applied vinyl graphics.
3. Sign is internally illuminated with white LED modules.
4. All decorative elements are constructed of aluminum.
5. Address numerals are flat cut out aluminum plate with painted finish.

**COLOR SCHEDULE:**

- Alzo Nobel No. 00 White (Satin Finish)
- Alzo Nobel Match PMS 465 U (Satin Finish)
- Paint to Match Building Color
- 7328 White
- 3M 3630-22 Translucent Black Vinyl Film
- 3M 3630-33 Translucent Red Vinyl Film
- 3M 3630-53 Translucent Cardinal Red Vinyl Film
- 3M 3630-73 Translucent Dark Red Vinyl Film
- 3M 3630-015 Translucent Yellow Vinyl Film
- 3M 3630-146 Translucent Light Kelly Green Vinyl Film (Verify)
- 3M 3630-246 Translucent Teal Green Vinyl Film
- 3M 3630-127 Translucent Intense Blue Vinyl Film
- 3M 3630-167 Translucent Bright Blue Vinyl Film (Verify)
- 3M 3630-118 Translucent Intense Magenta Vinyl Film



**PROPOSED COMPOSITE | 3/16" = 1'-0"**  
**NOTE: Landscape and Plants by Others as per Code Requirements**



**EXISTING CONDITIONS | NTS**

Proposed Monument Sign

900 Northlake Blvd., Lake Park, FL

**RECEIPT**

Ad Name: 1159962A

Ad Id: 1159962

Original Ad Id:

Start: 05/20/2016  
Stop: 05/20/2016  
Issues: 1  
Words: 217  
Dimensions: 1 X 44  
Color:

**Editions**

PB Post  
PB Post Web

**RECEIPT**

**LEGAL NOTICE OF QUASI-JUDICIAL  
PUBLIC HEARING  
TOWN OF LAKE PARK, FLORIDA**

**PLANNING AND ZONING  
BOARD MEETING**

Please take notice and be advised that the Planning and Zoning Board will hold a public hearing on **Monday, June 6, 2016, at 7:00 p.m., or as soon thereafter as can be heard**, in the Town Hall Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, to consider a variance application for 900 Northlake Boulevard regarding freestanding signage and for 924 Northlake Blvd. also regarding freestanding signage. Both applications are being brought forward by Atlas Sign Industries & Dunway Miskel Backman, LLP (Agent) on behalf of the owner, Alert Realty LC. Records related to these items may be inspected at the Community Development Department located at Town Hall, 535 Park Avenue, Lake Park, FL 33403.

If a person decides to appeal any decision made by the Planning and Zoning Board with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

**Town Clerk:** Vivian Mendez  
**PUB:** The Palm Beach Post 5-20/2016  
#605236



**TOWN LAKE OF PARK**  
**SPECIAL CALL PLANNING AND ZONING BOARD**  
**Meeting Date: September 12, 2016**

**Applicant(s):** Atlas Sign Industries & Dunway Miskel Backman, LLP [Agent]  
**Owner:** Alert Realty, LC [Owner]  
**Address:** **924 Northlake Blvd.** [Site]  
**Net Acreage:** 0.6424  
**Legal Description:** LAKE PARK ADD 1 LTS 3 & 4 BLK 130  
**Existing Zoning:** C-1 Business District  
**Future Land Use:** Commercial

**Adjacent Zoning**

North: North Palm Beach  
South: R-1 Residence District  
East: C-1 Business District  
West: C-1 Business District

**Adjacent Existing Land Use**

North: Commercial (North Palm Beach)  
South: Residential  
East: Commercial  
West: Commercial

*Please note: the Applicant has submitted two variance applications, one for the parcel with a legal address of 900 Northlake Boulevard (eastern parcel) and one for the parcel with the legal address of 924 Northlake Boulevard (western parcel). **This staff report is specific to variance requests for 924 Northlake Boulevard only – 900 Northlake Boulevard is being presented under separate cover.***

**I. BACKGROUND INFORMATION AND SUMMARY OF REQUEST:**

**Northlake Boulevard Overlay Zone (NBOZ) Background**

The Town of Lake Park executed an Interlocal Agreement with the municipalities of Palm Beach Gardens and the Village of North Palm Beach and Palm Beach County. These local governments wanted to create and apply uniform regulations to Northlake Boulevard to improve its aesthetics and appearance. Accordingly, the Interlocal Agreement was created and the NBOZ was created so that there would be uniform land development regulations, including regulations pertaining to signage and incorporated these regulations that each of the local governments agreed to apply to new development or redevelopment. The NBOZ emphasized a reduction of the signage and enhanced landscaping to improve the aesthetics and appearance of Northlake Boulevard. Please note the NBOZ and Town-wide timeline and the considerable time period and extensions that the Town's has provided for compliance as follows:

- NBOZ was created in 2006 and incorporated a signage compliance timeframe of 10 years (expiring July 5, 2016) for non-conforming signs along Northlake Blvd. only.
- The Town's general sign code was modified in July 2008 and it was more restrictive and provided for a July 1, 2013 compliance date for non-conforming signs.

- In 2011, given the economic downturn and in an attempt to alleviate the strain on commercial property owners and their tenants, an extension to the general sign code was granted to May 31, 2014.
- In 2013, the general sign code signage compliance date was aligned with the timeframe initially anticipated by the NBOZ regulations and extended to July 5, 2016 as the final town-wide deadline in an attempt to further alleviate the strain to commercial property owners and their tenants in all areas of the Town.

At the time this report was written, the Town has achieved approximately 85% compliance with properties having non-conforming signage in the NBOZ. Among the 44 parcels that are located within the NBOZ, 38 sites have complied with the district's sign regulations. The six remaining parcels is inclusive of 900 and 924 Northlake Blvd. These figures are based on demolition and sign permits that have been received or recently issued by the Department (some sites with non-conforming signage are simply awaiting installation of compliant signs or demolition of non-conforming ones, but have acknowledged their desire to fully comply with the Code).

### **Background of Request**

The site is located at 924 Northlake Boulevard on the south side of the street between Prosperity Farms Road (west) and Poplar Court (east). It is located in the NBOZ EAST District. There is three existing commercial buildings at the site that were constructed in in 1965, 1966, and 1973, per Palm Beach County Property Appraiser records. The site is part of an overall development known as Colonial Village constructed across two parcels that share joint access with one another (official cross/joint access agreement will be required prior to permit issuance). The site discussed in this staff report is the westernmost parcel with the address of 924 Northlake, while the adjacent or easternmost parcel has the address of 900 Northlake.

The parcel identified as 900 Northlake has one building constructed in 1966. Together, this building and the other three buildings at 924 cross the two parcels to form one contiguous shopping plaza having a unified parking lot with two rows of angled parking stalls that are separated by a one way drive aisle. There are three driveways providing ingress and egress to the site to/from Northlake Blvd. and two driveways providing the same to/from Poplar Court.

The buildings comprising Colonial Village front Northlake Blvd. are situated close to the roadway at approximately 45 feet from the public right of way. One building has a mansard roof, two having a parapet wall with flat roofs and the other having a gabled roofline. While the roof architecture varies, each of the four buildings have a consistent wall space below their respective rooflines where large, highly visible cabinet signs identify each tenant. The buildings and their wall signs are highly visible from Northlake Blvd. because the site lacks required landscaping and trees, which allows motorists and pedestrians to clearly see and read the large cabinet signs on the walls. The applicant describes the intentional design of the property in their application on page 1, #8(a), second paragraph.

Each wall sign has a white background and lettering in large fonts that are brightly colored and contrast well against its white background. Eastbound traffic is provided an unobstructed view of all wall signs, while westbound traffic has only minimal obstructions due to landscaping in the center median, which measures approximately 150 linear feet. The Site itself measure approximately 500 linear feet, thus allowing westbound traffic unobstructed visibility of the wall signs for approximately 350 linear feet.

Staff conducted a site visit to evaluate the legibility of the wall signs from various distances and to observe if and how the landscaped median obstructs the view from the north side of Northlake. Staff found that when walking along the north side of Northlake Blvd. the wall signs at colonial village were still legible, highly visible and were very minimally obstructed by the palm tree trunks and narrow canopies of evergreen trees (see Appendix 'A'). In comparison, we found that lettering on tenant appendages of the existing freestanding signs were not legible or barely legible at all from the north side of the street as compared to the wall signs. They were also more difficult to read than the wall signs at certain distances when in the eastbound lanes.

The dimensions of the existing wall signs each measure 33" or 2.75' tall and have varying lengths depending on the individual suite frontage. The smallest wall sign length measured xxx while the longest measured approximately 40'. Dimensions of the existing freestanding sign's tenant appendages are 17.5" or 1.5' tall and are each 108" or 9' long. In comparison, the proposed monument sign has substantially reduced tenant appendages that will not increase the readability of the proposed signs beyond what exists at the site.

### **Summary of Request**

The Applicant is proposing to construct one monument sign at the north west corner of the parcel identified as 924 Northlake. The proposed sign location is adjacent to the adjacent PNC Bank parcel. The new monument sign proposed will be 10'3" tall and 10' wide. The sign face, where tenant appendages will be placed measures 8' x 6' and will provide space for 7 tenant signs each dimensioned at wide (see variance application for visuals). The applicant is requesting two variances to the Land Development Regulations (LDR) as it relates to this proposed monument sign described above. Those requests are as follows:

- (1) increase the size of the sign face to 48 square feet from the maximum allowable square footage of 30 square feet; and,
- (2) increase the height of the sign to 10'3" from the allowable maximum height of 8 feet.

<b>Variance Number</b>	<b>Section:</b>	<b>Required:</b>	<b>Proposed:</b>
1.	Section 5-6(c)(2)(e) Maximum Areas	30 square feet per sign face (total 60 square feet double-sided)	48 square feet per sign face (total 96 square feet double sided)
2.	Section 5-6(c)(2)(f) Maximum Height	8 Feet	10 feet, 3 inches

The Applicant's justification for the increase in height is to ensure the sign will not be obstructed by vehicles parked in adjacent parking stalls and landscape hedge located on the PNC Bank parcel to the west. However, it is noted that there is no Town Code or State Law that guarantees a property owner unobstructed views of their property from any right of way.

## **II. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The following Comprehensive Plan statements are applicable in this case:

Policy 8.1: The Town shall strictly enforce land development regulations during the plan review and implementation process.

Policy 10.1: Coordinate the Town's efforts to implement any roadway maintenance, signage, striping or any other activity affecting Silver Beach Road, Northlake Boulevard and Old Dixie Highway with the City of Riviera Beach and/or Village of North Palm Beach.

OBJECTIVE 4: The Town transportation system will emphasize safety and aesthetics.

## **III. LAWS ON VARIANCES**

Section 55-63 (2) of the Town Code vests the Planning and Zoning Board with final authority regarding variances. Section 78-185 of the Town Code establishes criteria which must be met to entitle an applicant to a variance. The Board must find that each of the 7 criteria have been met to entitle an applicant to the requested variance relief. The 7 criteria are that:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building;
- (2) The special conditions or circumstances are not a result of actions by the Owner/applicant;
- (3) Granting the variance will not confer on the Owner any special privilege that is denied to others;
- (4) A literal interpretation of the land development regulations would deprive the Owner of rights commonly enjoyed by other properties in the same zoning district;
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) The granting of the variance will be in harmony with the general intent and purpose of the land development regulations and will not be injurious to the area involved or otherwise detrimental to the public welfare and;
- (7) Granting the variance would not be contrary to the comprehensive plan.

In evaluating these criteria, Courts have placed emphasis on criteria # 4 above, by holding the Owner/applicants for variance relief and the governing board evaluating the application, to the rigorous standard of whether the denial of the variance would render the Property virtually unusable. See Bernard v. Town of Palm Beach, 569 So. 2d 853 (Fla. 4<sup>th</sup> DCA 1990).

### III. ANALYSIS OF CRITERIA AND FINDINGS FOR VARIANCE

Below are listed the seven (7) variance criteria from Code Section 78-185 which all must be met before a variance can be granted.

CRITERIA 1: That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

No. There are no special conditions that exist as it relates to the Site's shape, size, topography or other physical features and dimensions which are not applicable to other lands, structures or buildings in this zoning district.

The Site is not unique to this zoning district when it is compared to its neighbors in the NBOZ East District. For example, 450 Northlake Blvd. is another multi-tenant complex in this District having the same building placement, traffic circulation and parking as the applicant has. At this site there is one compliant freestanding sign displaying the name and address of the complex and one appendage displaying the most prominent tenant. The Town's sign code is in place to provide an opportunity for every site to have a sign, but it is not a guarantee that every tenant at a single site will have signage.

Finally, existing conditions resulting from the permitted or unpermitted development of a site cannot be used to justify a special condition(s) since the site(s) were developed with the purposeful intention to create the existing configuration. These conditions were assumed by the current property owner when ownership was taken. Therefore, the proposed location and restricted visibility of the proposed monument sign is not a hardship applicable to the variance criteria.

Criteria #1 NOT met.

CRITERIA 2: That the special conditions and circumstances do not result from the actions of the applicant.

Yes. The need for variances are a direct result of actions of the Applicant since the special conditions cited by the Applicant are a direct result of the purposeful development of this site that has resulted in conditions for which these two variances are being sought. The current owner assumed the existing conditions at time of ownership. Further, the Town is within its rights to implement, modify or change in any way its code of ordinances that may cause structures or uses to become non-compliant.

Criteria #2 NOT met.

CRITERIA 3: That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.

Yes. Granting of a variance(s) will confer a special privilege upon the applicant that is denied to other businesses in the NBOZ who are all required to meet the same sign regulations. Many sites in this district have already complied with the sign code and have compliant ground signs, some of them are multi-tenant sites like the applicants, (see Appendix B) or have simply demolished without replacement. Granting of these variances will be injurious to those who have complied with the code.

Criteria #3 NOT met.

CRITERIA 4: That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter, and would work unnecessary and undue hardship on the applicant.

No. A literal interpretation of the Code would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district or create unnecessary and undue hardship on the applicant because the applicant can install a compliant monument sign as other multi-tenant property owners have done across the entire NBOZ overlay. Please refer to appendix 'B' for examples of other multi-tenant sites with compliant signs. Again, the sign code does not guarantee a property owner that every tenant on a single site will be represented by freestanding signage, but does provide the ability to identify the sites name, address and most prominent anchor tenants, which is possible at this site. All other sites in the district are required to comply with the same regulations unless they are of course the subject of a Planned Unit Development whereby certain land development regulations have been waived in exchange for a public benefit that is being provided.

The justification statement on Page 2, item c. of the application states "Literal interpretation of the zoning code would deprive the applicant and its retail tenants from the commercial signage exposure afforded to other similar business in Town." However, when staff surveyed all other multi-tenant sites located in the NBOZ we found that none had the type of freestanding sign exposure the applicant is requesting via these variances. In fact, the other examples, which are identified in Appendix B, are mostly internalized shopping centers, have little or no frontage on Northlake. Those sites had compliant monument signs that displayed the name and address of the complex and a few anchor tenant appendages. In comparison, Colonial Village fronts Northlake with a setback of only 45' and all of its tenants already have highly visible, large wall signs that are unobstructed as described in the Background Section. Therefore, the applicant's statement about being afforded the same exposure could not be verified based on the similar businesses and signage that exists today.

Criteria #4 NOT met.

CRITERIA 5: That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

No. The two variances requested are not the minimum variances to make reasonable use of the land, building or structure because the site has no physical hardships that are not self-imposed that necessitate a variance.

In regard to the variance for increased height, the sign code does not guarantee signage that is highly visible or to have unobstructed views since every site has varying conditions, such as this site that was purposefully developed in a manner that caused obstructed views.

In regard to the variance requested to increase sign face square footage, the desire to fit all or most tenants on the sign face is not a result of any special physical conditions of the site.

Criteria #5 NOT met.

CRITERIA 6: That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

No. The granting of these two variances will not be in harmony with the general intent and purpose of the LDR's and it is injurious to the area and public welfare.

#### Code

The proposed sign is not consistent with the standards of the NBOZ sign code since it was developed by and implemented as a joint effort among multiple jurisdictions to unify the entire Northlake Blvd. corridor and improve its aesthetics. Allowing a variance for a taller and larger (sign face) monument sign will break the visual pattern the code was intended to create.

#### Injury to area

All other property owners in this district are required to remove their non-compliant freestanding signs, and those who have not have received notices of violation, or are in the process of modifying their signs, or are part of a unique PUD configuration. The department has issued approximately 20 demolition permits this year to property owners on Northlake Blvd. for the removal of their non-compliant freestanding signs. Allowing a variance for a taller and larger sign will be injurious to all who have complied and inconsistent with the size and height of all other monument signs that exist in the East District since no other variances have ever been granted in the East District to deviate from the monument sign regulations (both in Lake Park and North Palm Beach).

#### Public welfare

Visibility triangles are being met based on the proposed location and setbacks. Sign would not be injurious to the public welfare.

Criteria #6 NOT met.

CRITERIA 7: That the variance would not be contrary to the comprehensive plan of the town.

The granting of these two variances is not consistent with an Objective and Policies of the Town's Comprehensive Plan. Granting these variances is inconsistent with Policy 8.1 because it is contrary to the shared sign regulations adopted by the Village of North Palm Beach, Palm Beach Gardens, and Palm Beach County as part of the NBOZ. Granting the variances would also be inconsistent with Policy 10.1 and Objective 4, which requires adherence to the land development regulations and to prevent signage or other distractions that reduce the safety on the roadways.

Criteria NOT met.

## V. STAFF RECOMMENDATION

The applicant has worked with staff for several months and has attempted to bring their proposal as much into compliance as possible, but based on the review of their final submittal and the seven criteria for the granting of a variance, staff recommends **DENIAL** of the two variances (namely 924 Northlake which is the nature of this report) because they do not meet any of the seven criteria required for the granting of a variance. In addition, denial is recommended since a fully compliant sign is possible at this site, the site has no physical hardships or special conditions that are not self-imposed, it will be injurious to the numerous property owners who have already complied, and that existing permitted conditions of a site do not warrant a variance. Lastly, the Sign Code and State law do not guarantee any property owner shall have unobstructed views from a right of way.

More particularly, staff had responded to the Applicant's final iteration of the proposed monument signs for 900 and 924 Northlake Boulevard in stating (*cross and joint access agreement required at permit issuance*): "A cross and joint access agreement/easement IS required by Code for the properties since both parcels share parking and access points. This cross and joint access agreement/easement can include provisions indicating that both parcels have the ability to share monument signs for the purposes of advertising all tenants. Consequently, since the property has 14 tenants, the signs can be modified as follows..." Suggestions:

### 900 Northlake Boulevard:

***This monument sign CAN meet the 8 foot height requirement and 36 square foot maximum size if two tenants are removed from the sign and the base is lowered by 1.5 feet. This would provide for 10 tenants on this monument sign.***

***...OR, 4 tenants are removed and the base remains as-is, for a total of 8 tenant names on this sign, plus 6 tenant names on the second monument sign, satisfying the 14 total tenants.***

## 924 Northlake Boulevard

*This monument sign CAN meet the maximum 36 square feet of sign face requirement if 2 name plates (as currently configured) are removed. This would leave space for a total of 6 tenants (in addition to the space provided on the other monument sign that is being proposed)*

### Summary of Consistency with Criteria for variance request #1 & 2

		Consistent	Inconsistent
1.	Special Conditions		<b>X</b>
2.	Actions of the Applicant		<b>X</b>
3.	Special Privilege		<b>X</b>
4.	Literal Interpretations		<b>X</b>
5.	Minimum Variance		<b>X</b>
6.	Public Interest		<b>X</b>
7.	General Harmony		<b>X</b>

## **VI. MOTION FOR THE BOARD TO CONSIDER:**

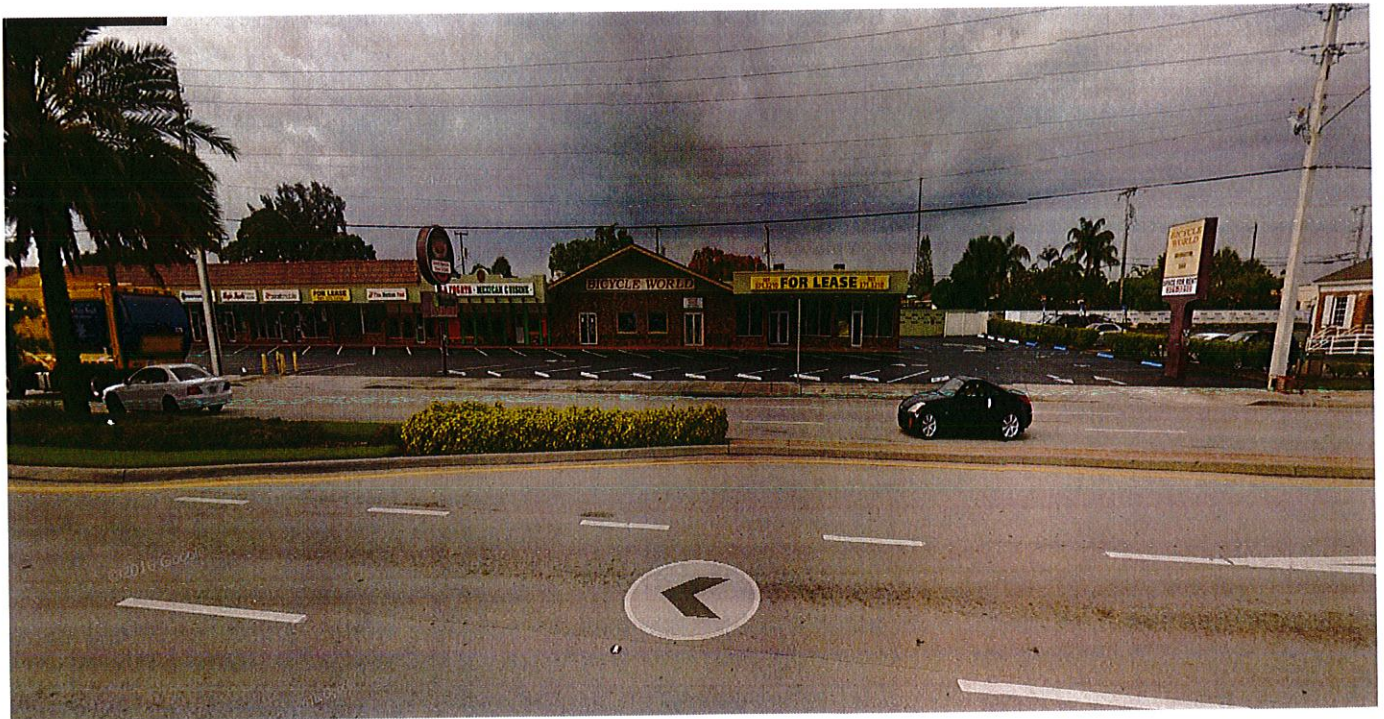
Based upon the analysis contained in the Staff report, I move to **DENY** the variance request for 924 Northlake Boulevard.

## APPENDIX 'A'

### PICTURES OF SITE TAKEN FROM NORTH SIDE OF NORTHLAKE BLVD. IN WESTBOUND R.O.W.



## APPENDIX 'A'



APPENDIX 'A'

COLONIAL VILLAGE FROM  
EASTBOUND R.O.W.



## APPENDIX 'A'



## APPENDIX 'A'



## Appendix 'B'

### MULTI-TENANT SITES HAVING COMPLIANT SIGNAGE OR SIMILAR SITES WITH NO FREESTANDING SIGN

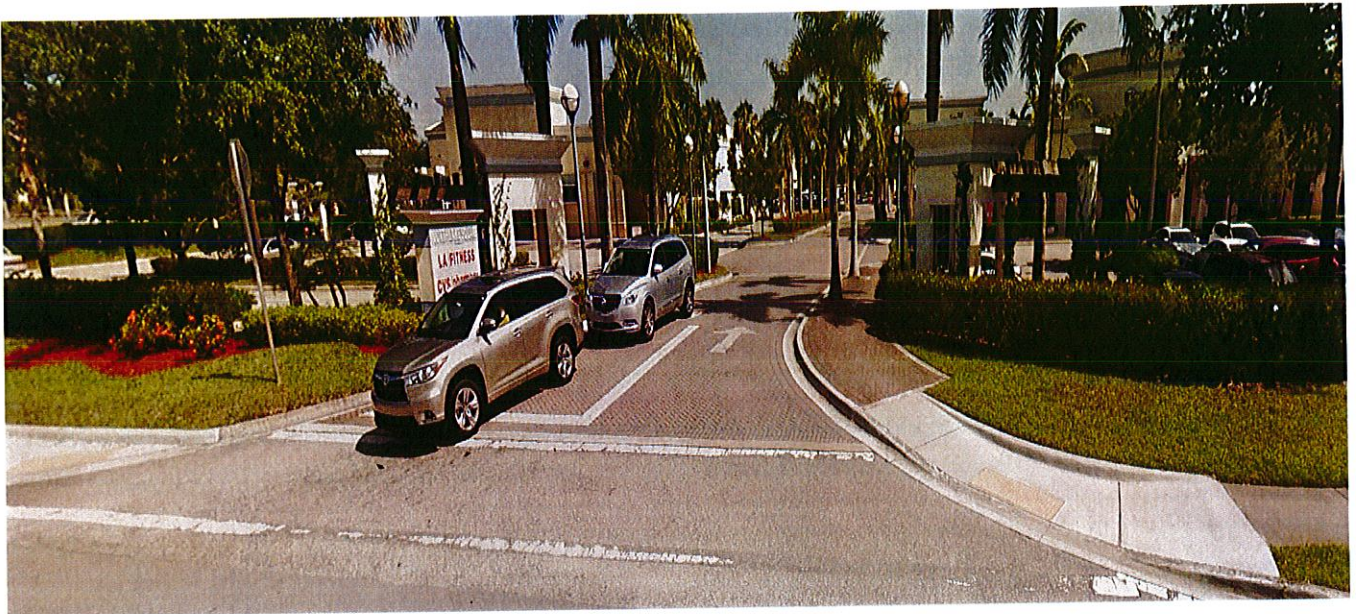
450 NORTHLAKE BLVD.: Compliant multi-tenant with a similar building and parking placement.  
Only one tenant represented on sign.



524 NORTHLAKE BLVD.: A compliant multi-tenant not representing all tenants (landscaping is being worked on).

## Appendix 'B'

3168 NORTHLAKE BLVD. (Palm Beach Gardens): Internalized multi-tenant complex without street frontage. Monument sign obstructed by ingress/egress traffic only representing anchor tenants.



3880 Northlake Blvd. (Palm Beach Gardens): Another internalized multi-tenant complex without street frontage. Monument sign obstructed by ingress/egress traffic only representing anchor tenants.

## Appendix 'B'

807 NORTHLAKE BLVD. (North Palm Beach): Located across the street from Colonial Village is a similar commercial complex having no freestanding signage and a building set much further in from the street than Colonial Village.





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**TOWN OF LAKE PARK  
APPLICATION FOR SIGN VARIANCE  
COLONIAL VILLAGE  
924 NORTHLAKE BLVD  
LAKE PARK, FLORIDA  
MAY 16, 2016  
Updated August 9, 2016**

#### Introduction:

In order to complete the design of the replacement monument signage for Colonial Village located at 924 Northlake Blvd., Lake Park, a variance is being requested from the signage regulations for properties along Northlake Blvd. Chapter 78, Appendix A, Division 5 of the Town of Lake Park Land Development Regulations / NBOZ.

Variance Number	Section:	Required:	Proposed:
1.	Section 5-6(c)(2)(e) Maximum Areas	30 s.f. (w/5' setback)	48 s.f.
2.	Section 5-6(c)(2)(f) Maximum Height	8 Feet	10'3"

8. Applicants statement of explanation, needs and reasons for the requested changes which addresses the following items:

**a. Explain the special conditions or circumstances that exist that are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:**

The sign variance is required due to special conditions associated with the properties location and existing site conditions. Colonial Village was constructed over a period of 8 years, commencing in 1965 with building 1 and completing in 1973 with building 3 (building 2 was completed in 1966). Considering its age and location, Colonial Village has been a landmark for decades including its Clock Tower pylon sign. Alert Realty purchased the property in 1978 and has been diligent with upkeep and improvements throughout their 43 years of ownership. This landmark retail shopping center is unique as it hosts three (3) ground signs that were established throughout its growth (1 per building). The 3 signs remain today.

The shopping center is also unique with existing customer parking spaces fronting both Northlake Blvd and the retail spaces. Unlike more modern shopping centers, Colonial Village was not developed with any landscaping or other buffers separating the right of way from the parking areas and drive aisles. The location of the free standing signage is land locked and



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has less than desirable visibility under the proposed code, while traveling both east and west bound on Northlake Blvd due to the existing hedges on adjacent properties and parked vehicles restricting the visibility of signage at a reduced height of eight (8) feet. The average height of the adjacent hedge is four (4) feet and an SUV is four (4) feet from grade to top of the front hood. It is therefore imperative to raise the base height to a minimum of four (4) feet forcing the overall additional height request and additional square footage.

The location and restricted visibility of the proposed monument signs mandates the hardship of the property and need for additional height and square footage. The existing hedge and vehicular parking hinders the visibility of the tenant signage making finding any retailer more difficult for east and west bound customers.

**b. Explain how the special conditions and circumstances that exist do not result from the actions of the Applicant:**

The special conditions and circumstances do not result from the actions of the applicant; they result from existing conditions in the property design, layout, landscape, timeframe of which it was established being 40 plus years prior to the introduction of the new signage regulations and previous contractual agreements with tenants.

**c. Explain how the literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship for the applicant:**

Literal enforcement of the zoning code would deprive the applicant and its' retail tenants from the commercial signage exposure afforded to other similar businesses in Town. The intent of this request is to provide identification to the retailer location and provide them with recognizable branding afforded to other retailers in the area. Other commercial retail properties in the area are single tenant, therefore the one size fits all structure of the NBOZ guidelines inflicts hardship on multi tenant retail centers such as the applicant.

The permissible sign face area is 30 square feet per sign face invoking undue hardship due to limited visibility of tenant copy placed on the monument sign. Our request for an additional 18 square feet is the minimum required to adequately provide legible names on the proposed signs. This is especially true considering that the existing sign being replaced is more than 84 square feet in area.

The permissible overall height of 8 feet is invoking undue hardship due to the existing hedge and vehicular parking location adjacent to the monument location. The monument sign location is ground locked due to the existing conditions of the property and therefore not self-inflicted.

In addition, from an aesthetic point of view, the proposed signage enhances the property and will provide balance and harmony to the architecture of this established structure. The NBOZ guidelines were intended to eliminate older, out dated signage that was visually unappealing. The proposed sign package includes enhanced aesthetically pleasing signage that is smaller in height and area than the existing signs on the property.



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**d. Explain how the variance requested is the minimum variance that will make possible the reasonable use of land, building or structure:**

The variance requested is the minimum necessary to conform to and adhere to the guidelines set forth within the NBOZ while protecting the existing uses and tenants located at the property and preserving property values by providing fare and adequate identification to the existing business located within Colonial Village retail center. The proposed signage will create a more attractive economic and business climate. Any further reduction beyond the proposed development package would inflict undue hardship to loyal and committed businesses within the Town of Lake Park and Colonial Village. In addition the proposed variance will not have any negative impacts on any of the surrounding properties.

**e. Explain how the granting of the requested variance will not confer on the Applicant any special privilege that is denied by the Zoning Code to other properties in the same zoning district:**

The requested variance will not confer on the applicant any special privilege due to the unique conditions of this property described herein.

**f. Explain how the grant of the requested variance will be in harmony with the general intent and purpose of the Zoning Code and not be injurious to the neighborhood or otherwise detrimental to the public welfare.**

The requested variance will be in harmony with the general purpose and intent of the Zoning Code and will not be injurious to the neighborhood or detrimental to the public welfare. As noted above, the proposed sign package provides aesthetically pleasing monument signs that are smaller in height and area then what currently exists. Granting this variance will actually ensure that the businesses located within Colonial Village remain successful corporate residents for the Town for many years to come.

In conclusion, the proposed monument signs are visually complimentary to the architecture and scale of the building and will continue to be in harmony with the general intent and purpose of the code. Granting the requested sign variances will not be injurious to the surrounding area and will not be detrimental to the public interest, but rather will enable the businesses to prosper and have a positive influence on the community. Existing as well as potential customers will be attempting to locate various businesses located within Colonial Plaza. Our goal is to ease traffic by making the various retail locations visible and provide a safe flow into the parking lot.

The commercial retail establishments along with Alert Realty respectfully request approval to the signage variances.

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**LEGAL NOTICE OF QUASI-JUDICIAL  
PUBLIC HEARING  
TOWN OF LAKE PARK, FLORIDA**

**PLANNING AND ZONING  
BOARD MEETING**

Please take notice and be advised that the Planning and Zoning Board will hold a public hearing on **Monday, June 6, 2016, at 7:00 p.m., or as soon thereafter as can be heard,** in the Town Hall Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, to consider a variance application for 900 Northlake Boulevard regarding freestanding signage and for 924 Northlake Blvd. also regarding freestanding signage. Both applications are being brought forward by Atlas Sign Industries & Dunway Miskel Backman, LLP (Agent) on behalf of the owner, Alert Realty LC. Records related to these items may be inspected at the Community Development Department located at Town Hall, 535 Park Avenue, Lake Park, FL 33403.

If a person decides to appeal any decision made by the Planning and Zoning Board with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

**Town Clerk:** Vivian Mendez  
**PUB:** The Palm Beach Post 5-20/2016  
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